THOMAS A. PONTOLILLO <u>TPONTOLILLO@LABORDISPUTESOLUTIONS.COM</u> TELEPHONE – (440) 212-3495

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ARBITRATOR / MEDIATOR ROSTERS:

- Federal Mediation and Conciliation Service (FMCS) Arbitrator Roster
- National Mediation Board (NMB) Roster of Arbitrators (railroad and airline)
- State of Ohio Office of Collective Bargaining (OCB) & Ohio Civil Service Employees Association (OCSEA) Alternative Dispute Resolution (ADR) Trial Panel

ARBITRATION / MEDIATION PANELS:

- Presidential Emergency Board No. 252 (Brotherhood of Locomotive Engineers and Trainmen (BLET) and New Jersey Transit Rail Operations)
- Fraternal Order of Police of Ohio, Inc. and City of Bucyrus, Ohio
- NMB National Railroad Adjustment Board, First Division (multiple dockets)
- International Association of Fire Fighters Local 2156 and City of North Royalton, Ohio
- Public Law Board No. 7042 (Union Pacific Railroad (UPRR) and BLET UPRR Northern Region)
- Public Law Board No. 7173 (UPRR and BLET UPRR Eastern District)
- Public Law Board No. 7228 (UPRR and BLET UPRR Western Region)
- Public Law Board No. 7467 (UPRR and Transportation Communication International Union/IAM (TCU))
- Public Law Board No. 7488 (Norfolk Southern Railway (NSR) and SMART Transportation Division (SMART–TD) (former Nickel Plate / Wabash / Conrail))
- Public Law Board No. 8021 (TransitAmerica Services, Inc. and National Conference of Firemen & Oilers, Local 32BJ / SEIU (NCFO))
- Special Board of Adjustment No. 1063 (NSR and BLET NSR Northern Lines)

PROFESSIONAL AFFILIATIONS:

- 2023-present, Labor and Employment Relations Association (LERA), Northeast Ohio Chapter
- 2023-present, National Association of Railroad Referees (NARR) (Vice President, 2023-present)

ISSUES HANDLED AS ARBITRATOR, NEGOTIATOR AND ADVOCATE:

absenteeism; arbitrability; bargaining unit work; conduct (off-duty/personal); compensatory time; cost-ofliving pay; disability; discipline (discharge and non-discharge); discrimination; drug/alcohol offenses; fact finding; fringe benefits; funeral leave; harassment; health/hospitalization; holiday pay; holidays; hours of work; bonus/incentive pay; insurance; job classification & rates; job performance; job posting/bidding; jurisdictional dispute; layoffs/bumping/recall; management rights; merit pay; overtime pay; past practices; pension and welfare plans; personal time; promotion; retirement; safety/health conditions; seniority; strikes, lockouts, work stoppages, slowdowns; subcontracting/contracting out; unilateral; union security; vacation; vacation pay; violence or threats; wages; work hours/schedules/assignments; working conditions/work orders

PRESENTATIONS:

- 2024 NARR Appellate Skills Training Presentation titled *Navigating the Rails: The Claims Process* Under Section 3 of the Railway Labor Act
- 2024 NARR Annual Conference, moderated Panel Presentation on Federal Railroad Administration regulations governing certification of certain safety-critical railroad employees

RELEVANT EDUCATION/TRAINING:

- 2024-present National Academy of Arbitrators (NAA) *What Would You Do?* online series
- 2023-present NAA Ohio/Kentucky Salon participant

RELEVANT EDUCATION/TRAINING (CONT'D):

- 2025 Misclassification of Employees as Independent Contractors Under the FLSA, National LERA webinar
- 2024 How Advocates and Arbitrators Can Be Better, LERA-neo panel presentation
- 2024 Impact of AI on Labor Relations, LERA-neo panel presentation
- 2024 Arbitrators & Advocates Symposium, jointly sponsored by FMCS, LERA and NAA
- 2024 SERB Update: A Fresh Look at Recent SERB Decisions, Public Employment Law Trends, and Recent Data, COLERA webinar
- 2024 Safety Forces Retention, LERA-neo panel presentation
- 2024 Seven Things Every Arbitrator and Advocate Needs to Know About Privacy and Data Security Law, National LERA webinar
- 2024 Becoming a Labor Arbitrator, FMCS Institute for Conflict Management
- 2022 *Railway Labor Act Arbitrator Training Program*, jointly sponsored by the National Mediation Board and the National Association of Railroad Referees
- 2022 *Building a Career as a Labor Arbitrator*, Arizona Chapter of the Labor and Employment Association / National Academy of Arbitrators
- 2010 Effective Communications, Cornell University ILR School Online Workshop
- 2009 Costing out the Contract, Cornell University ILR School Online Workshop
- 1989-1991 Bucks County Community College, Newtown, PA Labor Studies Program (U.S. labor history, economics, sociology, effective speaking), 4.0 GPA

EMPLOYMENT:

- 2005-2021 BLET: Asst. to the National President and Dir. of Research (2008-2021); Dir. of Regulatory Affairs (2006-2008); Legislative and Regulatory Assistant (2005-2006)
- 2002-2005 Self-employed labor relations consultant
- 1996-2001 BLE: Director of Communications and Strategic Coordination (1999-2001); Independent Contractor for Special Projects (1996-1999)
- 1988-1999 William L. Keller & Associates, P.C.: Railroad Accident Investigator; Union Liaison
- 1983-1988 BLE Amtrak General Committee of Adjustment: Independent Contractor
- 1977-1983 BLE Division 501, New York City: Local Chairman
- 1972-1987 Penn Central Transportation Co. / Consolidated Rail Corp. / New Jersey Transit Rail Operations, Inc.: Locomotive Fireman / Locomotive Engineer

FEES:

- Per Diem Fee is \$1,200.00. Time spent in study/writing/virtual hearings (including virtual executive sessions) is prorated on an hourly basis. A per diem fee will be billed for each hearing date for which notice of cancellation or postponement is not received at least thirty (30) days prior to said hearing date(s). More than one grievance per day and/or expedited grievance procedures are accommodated.
- On the day of an in-person hearing there is no charge for up to two (2) hours of travel time, and a prorated per diem fee will be billed for time in excess of ten (10) hours. Time spent traveling on a non-hearing day is prorated on a half-day basis.
- Parties will be charged for actual cost of reasonable expenses incurred including, but not limited to, airfare, ground transportation, food, lodging, tolls and parking. Personal automobile mileage is charged at the applicable IRS expense rate.
- Registered in U.S. Federal Government's System for Award Management (SAM).

REFERENCES AVAILABLE UPON REQUEST