

BARRY E. SIMON
Attorney and Arbitrator

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EDUCATION University of Illinois at Chicago
College of Business Administration
B.S. in Personnel Management, 1970

Loyola University of Chicago
School of Law
J.D., 1975

BAR ADMISSIONS Illinois Supreme Court
U.S. District Court, Northern District of Illinois
United States Supreme Court

CAREER Arbitrator, 1989-present. Arbitrator in labor-management, employment and securities disputes.

Adjunct Professor, Lake Forest Graduate School of Management, 1990-2004. Taught *Human Resources Management* and *Negotiations and Conflict Resolution* in MBA program.

Corporate Labor Counsel, Chicago and North Western Transportation Company, 1976-1988. Primary responsibility for grievance and interest arbitration involving thirteen craft unions; represented railroad in legal matters in connection with employment and labor relations.

Personnel Specialist, American Library Association, Office for Library Personnel Resources, 1972-1976. Advised library profession in various areas of human resources management through seminars, journal articles and correspondence.

PANELS American Arbitration Association
Federal Mediation and Conciliation Service
National Mediation Board
Illinois State, Local and Educational Labor Relations Boards
Illinois State Board of Education (Tenured Teachers)

INDUSTRIES Aerospace, airlines, bakery, beverage, building products, broadcasting, cement, communications, construction, education, electrical equipment/appliances, food manufacturing/processing/service, foundry, government, health care, hospitals, iron, machinery, meat packing, metal fabrication, office workers/clerical, organizations, petroleum/petrochemicals, police and fire, postal service, printing and publishing, pulp and paper, railroads, restaurants, retail stores, steel, transportation, trucking and storage, utilities, warehousing.

ISSUES

Absenteeism, arbitrability, bargaining unit work, conduct (off-duty/personal), demotion, discipline (non-discharge), discipline (discharge), drug/alcohol offenses, holidays, leave, vacation, grievance mediation, interest arbitration, job performance, job posting/bidding, jurisdictional dispute, layoffs/bumping/recall, management rights, official time, past practices, pension and welfare plans, promotion, safety/health conditions, seniority, sexual harassment, subcontracting/contracting out, tenure and reappointment, holiday pay, job classification and rates, merit pay, overtime pay, vacation pay, work hours/ schedules/assignments, working conditions/work orders, violence or threats.

PERMANENT PANELS

United States Postal Service - National Association of Letter Carriers
 USPS - Postal Police Officers Association (National Arbitrator)
 American Airlines - Allied Pilots Association
 American Airlines - Association of Professional Flight Attendants
 United Airlines - Teamsters
 United Airlines - Association of Flight Attendants (mediation)
 ABC-TV - NABET-CWA
 Norfolk Southern Railroad - SMART-Transportation Division
 Norfolk Southern Railroad - Brotherhood of Locomotive Engineers
 Conrail - SMART-Transportation Division
 CSXT Railroad- Brotherhood of Locomotive Engineers
 CSXT Railroad - Brotherhood of Maintenance of Way Employees
 Chicago Hotels - UNITE-HERE Local 1
 Cleveland-Cliffs Steel - United Steelworkers

MEMBERSHIPS

National Academy of Arbitrators (Board of Governors, 2011-2013); College of Labor and Employment Lawyers (Fellow); Chicago Bar Association, Labor and Employment Law Committee (Chair, 1991-1992); American Bar Association, State and Local Government Bargaining Committee (Co-Chair 2019-2022), Railway and Airline Labor Law Committee; Labor and Employment Relations Association; National Association of Railroad Referees (Vice President, 1991-1996; Secretary-Treasurer, 1998-2002; President, 2006-2010)

PUBLISHED CASES

139 LA 445 (2019); 138 LA 243 (2017); 137 LA 161 (2016); 137 LA 206 (2016); 137 LA 260 (2016); 132 LA 191 (2013); 132 LA 1283 (2013); 123 LA 198 (2006); 20 LA 1095 (2005); 110 LA 335 (1998); 102 LA 777 (1994).

SIGNIFICANT PUBLICATIONS

Last Chance Agreements: Shape Up or Ship Out, Illinois Public Employee Relations Report, Summer 2006

Developing Termination Policies and Procedures, American Libraries, January 1973

Understanding the Fair Labor Standards Act, American Libraries, November 1974

Supply & Demand: Old law trips up new grads, with Margaret Myers, Wilson Library Bulletin, December 1976

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SCHEDULE OF ARBITRATION FEES

Per Diem Fee for travel, hearings and study/writing: \$1,800.00

A hearing day is any portion of a day up to six hours. Study/writing time is prorated.

Cancellation/Postponement Fee:

30 days notice or less - the applicable per diem fee for each scheduled hearing day.
More than 30 days notice - no fee.

Administrative Fee:

In cases involving unusual amounts of time relative to the pre-hearing and post-hearing administration of a particular case, an administrative charge based upon an hourly fee of \$300 may be charged at the Arbitrator's discretion.

Travel:

Actual expenses for public transportation, car rental, hotels, meals and incidentals will be billed. Personal automobile mileage billed at IRS allowable rate per mile plus tolls and parking.

Notwithstanding any agreement between the parties to the contrary, all parties shall be jointly and severally responsible for the Arbitrator's fees and expenses.

Record Retention Policy:

Upon issuance of the Award, all transcripts, exhibits, briefs, tapes and notes are destroyed. If the parties wish to have any exhibits returned, they must notify the Arbitrator.

Effective January 1, 2025