

John M. Livingood

Dispute Resolution Services: including Arbitration, Mediation, & Factfinding

Contact Information:

Address: 201 Glen Colter Court, Severna Park, MD 21146

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Experience:

Summary: More than forty-five years of experience in labor-management relations, negotiations, mediation, and arbitration. An experienced advocate, neutral, arbitrator, mediator, and hearing officer in both the public and private sectors, handling commercial, employment and work place issues and discrimination, Americans with Disability Act (employment and public accommodations), and labor-management issues. Dispute resolution experience in both the public sector (Federal and State) and the private sector: rail transportation (NRAB), air transportation, bus lines, pharmaceutical industry, mail and parcel shipping & delivery, and securities industry.

National Mediation Board (4/2000 – 12/2022): Mediated cases in both airline and railroad industries, serving as a Senior Mediator from August 2020 and, then, additionally serving as Acting Director of the Office of Mediation Services from August 2022 until December 31, 2022. Mediations included multiple cases involving rail union coalitions with a single freight carrier, multiple carriers in national handling, and on several commuter railroads, as well as mediations in the airline industry with major carriers, in both freight service and passenger service, as well as regional carriers and charter operations.

Arbitrator & Mediator (10/1996 – 4/2000): Mediated and arbitrated more than a hundred cases. In mediation, various mediation techniques were utilized, including several specifically required by particular programs, also handled a labor-management dispute using Med-Arb, the use of mediation in an attempt to resolve a dispute prior to holding a arbitration hearing on the same case. Arbitrations were through the AAA, FMCS, and NMB. Mediations were through the AAA, EEO, USPS, and Key Bridge Foundation. Hearing Officer was through private referral.

National Railroad Passenger Corporation (Amtrak) (10/1982 – 7/1996): Held positions of Assistant Vice President, Senior Director, Director, and Assistant Director of Labor Relations, and served as chief spokesman in Section 6 negotiations from 1984 through 1996, and negotiated significant agreements outside the Section 6 process that significantly contributed to increased efficiencies at Amtrak, including the expansion of operating services and the streamlining of operations.

Consolidated Rail Corporation (Conrail) (10/1976 – 6/1982) Assigned negotiation projects involving the negotiation of single agreements for numerous crafts, including the trainmen's agreement that involved crew consist issues and ended in an interest arbitration, and later to projects relating to restructuring of Conrail in the early 1980s through the spin-off of its passenger rail and commuter rail services to the National Railroad Passenger Corporation (Amtrak) and to various commuter Authorities giving rise to MetroNorth Railroad (NYC-MTA), New Jersey Transit, and SEPTA's Commuter Rail operation (Southeastern Pennsylvania Transportation Authority).

For more specific details of John Livingood's professional experience, including military experience, go to <http://johnlivingood.com/about-john-livingood.html>

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Publications:

- Numerous Railway Labor Act (RLA) articles and information relating to the RLA collective bargaining process, Presidential Emergency Boards (PEBs) and Post-PEB Congressional Interventions at <http://johnlivingood.com/rla-nuances.html>
- *Fact-Finding in Collective Bargaining: A Proven Dispute Resolution Tool*. Ebook, 2016.
- *Interrelationship of Bias and Conflict: Addressing Bias in Conflict and Dispute Resolution Settings*. Dispute Resolution Journal - Vol. 62, No. 4. AAA's Dispute Resolution Journal, November 2007.
- *Reframing and Its Uses*. Dispute Resolution Journal - Vol. 57, No. 4. AAA's Dispute Resolution Journal, November 2002 - January 2003.
- *The Status of Religious Accommodation After the Hardison Case*. Labor Law Journal 1978.

Education:

LL.M. Temple University Graduate School of Law, Temple University, Philadelphia, PA, 1979.
JD School of Law, Villanova University School of Law, Villanova, PA, 1976.
BA Villanova University, Villanova, PA, 1969

Certifications:

Admitted to Pennsylvania Bar, 1976.
Mediator Certification, Maryland Council for Dispute Resolution, 1998.

Training:

- Negotiating Labor Agreements, July 2000, Dealing with Difficult People and Difficult Situations, June 2002, and The Program on Negotiation for Senior Executives, June 2002: Program On Negotiation, Harvard University.
- Mediation Skills (40 hour certificate and CLE credit program), Maryland Institute for Continuing Professional Education for Lawyers, Inc., (MICPEL) 1996.
- Advanced Transformative Mediation Skills in conjunction with the Redress Mediation Program (20 hours), U.S. Postal Service, 1998.
- Advanced Mediation Workshop - Mediating ADA Employment Disputes (8 hours), Mediation Training and Information Center for the ADA, 1997.
- ADA Mediation Workshop (8 hours), Key Bridge Foundation through U. S. Department of Justice grant, 1997.

(For more detailed information on Training go to
<http://johnlivingood.com/education--training.html>)