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## LISA BROGAN, ESQ.

### Labor and Employment Arbitrator and Mediator

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[www.lisabrogan.com](http://www.lisabrogan.com)

#### EXPERIENCE/ROSTERS

##### **Labor Arbitration**

American Arbitration Association Labor Panel

Federal Mediation and Conciliation Service Labor Panel

National Mediation Board

New York State Public Employment Relations Board, Public and Private Sector Grievance Arbitration

New Jersey State Board of Mediation

Cornell ILR Roster of Neutrals

New York City Department of Education/United Federation of Teachers 3020-a Panel

New York State Education Department 3020-a Panel

Federation of Catholic Teachers/Notre Dame School of Manhattan

Bituminous Coal Operators' Association and United Mine Workers of America

MTA New York City Transit and Transport Workers Union Local 100

Suffolk County Public Employment Relations Board

##### **Mediation**

NY Public Employment Relations Board Mediation Panel

Cornell Workplace ADR Roster (Nuclear Regulatory Commission)

American Arbitration Association Mediation Panel

SEIU Local 32BJ and Realty Advisory Board Employment Mediation Panel

New York Supreme Court, Commercial Division Mediation Rosters

New Jersey Courts, Civil Court Roster of Mediators

Certified Mediator, Community Mediation Services, Queens, NY

Grievance Committee and Conciliation Panel of the Nassau County Bar Association

Part 137 Fee Dispute Program (New York County, arbitrator and mediator)

Volunteer Lawyers for the Arts MediateArt Program.

#### ISSUES AND INDUSTRIES

##### **Labor**

Working in the private, public and federal sectors handling a full range of discipline, discharge and contract interpretation issues. Recent discipline cases have addressed: competency, misconduct, employee theft, violence in the workplace, off-duty conduct, time and attendance/absenteeism, sick abuse, falsifying documents, performance, alcohol and drug abuse and mental incapacity. Recent contract cases have addressed: sequestration, arbitrability, management rights, job classification, past practices, seniority, vacation pay and plant closings. Industries include federal sector, education, health and hospitals, nursing homes, office workers/clerical, building maintenance, nuclear energy, food service operations, transportation, manufacturing, food warehousing and distribution, entertainment, hospitality and more. Mediates labor issues in collective bargaining impasse and grievance mediation forums.

## **Employment**

Expertise extends to discrimination issues, including sex and pregnancy, sexual harassment, ADEA, ADA, race, national origin and religion. Skilled in contract negotiation and interpretation involving a broad spectrum of issues including employment contracts, executive compensation and non-compete provisions, performance reviews, wage and hour (exempt and non-exempt employees), employee handbooks, military leave, union wage and benefit structures, payroll tax obligations, unemployment issues and health insurance.

## **EDUCATION**

Cornell ILR, Scheinman Institute on Conflict Resolution, Labor Arbitration Certificate, 2011  
Federal Mediation and Conciliation Service, Labor Arbitration Certificate, 2010  
Fordham University School of Law, Juris Doctor, 1982  
Georgetown University, Bachelor of Arts, 1979

## **PROFESSIONAL AFFILIATIONS**

Adjunct Instructor, Cornell University ILR, Scheinman Institute on Conflict Resolution  
Mentor, Cornell University ILR, Scheinman Institute on Conflict Resolution  
Mentor, American Arbitration Association Higginbotham Fellows Program

Labor and Employment Relations Association (Executive Committee, Long Island Chapter; Member NYC and NJ Chapters); Society of Federal Labor & Employee Relations Professionals; American Bar Association (Labor and Employment and Dispute Resolution Sections); New York State Bar Association (Labor and Employment Section; former co-chair CLE Committee, Dispute Resolution Section); New York City Bar Association; Nassau County Bar Association (Labor and Employment, ADR, Conciliation and Mediation Committees); Association for Conflict Resolution (Workplace Committee).

Admitted to practice as an attorney in the state and federal courts of the State of New York.

## **PREVIOUS EXPERIENCE**

Mark Ross & Co., Inc. (General Counsel, 1996-2008)  
Bafill Construction Corporation (Vice-President and General Counsel, 1988-1996)  
Frankfurt, Garbus, Klein & Selz (Senior Associate, 1985-1988)  
Dechert Price & Rhoads (Associate, 1985-1988)

## **FEES**

**Per diem:** \$1800 for labor/management arbitration  
**Hourly:** \$ 500 for employment arbitration and mediation  
\$ 500 for commercial mediation

Rates for other types of cases on request. Mediation rates may be adjusted outside the New York metropolitan area.

Time spent reviewing the record and preparing the Opinion and Award are billed separately at the same per diem rate.

**Cancellation Policy:** Per diem or 4-hour cancellation fee if notice of cancellation, continuation or postponement is not received 21 days prior to confirmed hearing or mediation date.

**Travel and Expenses:** Travel time is pro-rated based on the per diem fee for travel which must occur the day before or day after the hearing, or when travel time exceeds four hours on the day of the hearing. Actual cost of travel expenses for air or rail fare, rental car, parking, food and lodging. Automobile mileage is charged at the prevailing IRS rate for travel outside the New York metropolitan area. Other necessary or unusual expenses may be billed to the parties. Government restrictions on travel reimbursement may be accommodated.