



DISPUTE RESOLUTION PANEL

MEMBER INFORMATION

Name	James A. Lundberg
Current Profession	Labor Arbitrator, Attorney
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Information Updated	December 2021

Experience as an Impartial in Labor Disputes (Number of Cases Handled)

As Grievance Arbitrator	1,150+	As Interest Arbitrator	30+
As Mediator	1	As Fact-Finder	2

Employment with Impartial Labor Relations Administrative Agencies

Organization	Minnesota Public Employment Relations Board
Position	Contract Hearing Officer for Unfair Labor Practice cases
From / To	First appointed 01/20/2016; Reappointed 08/01/2020 – Present

Brief Description of Industries and Issues Dealt With

Industries: Aerospace, agriculture, automotive, asphalt shingle production, aluminum smelting, beverage, baking, building products, broadcasting, canning, chemicals, cement, charitable hospitals, concrete distribution, computer and electronic components, communications, customs and Border Patrol, electric utilities, entertainment, secondary education (teachers, administrators and support staff), post-secondary education (administrative services and plant services), federal sector, food processing, food distribution, food vendors serving public transportation, fire fighters, foundry, grocery, grain mills, health care, hospitals, hotels, hospitality, just-in-time job shops, state and local law enforcement, administrative, jail and prisons, laboratory research units, machining, maritime, mining, metal fabrication, meat packing, nursing homes, newspaper distribution, office staff, organizations, packaging, paint and varnish, upholstering, petroleum refining, petroleum distribution, paper and pulp, printing, public transportation, police, vending, road construction, restaurant, state and local government, transportation lines, trucking, TSA. Federal sector - prisons, weather service, and federal building security.

Issues: Absenteeism, alter-ego corporation, arbitrability, alcohol and drug testing, bargaining unit work, conduct (off duty), computer mis-use, pornography, demotion,

discipline (non-discharge), discipline (discharge), discrimination (age, sex, disability, race, national origin), fringe benefits (holidays, insurance, leave of absence, funeral leave, family leave, vacation), health and hospitalization, job performance, job posting and bidding, jurisdiction, layoff, bumping, recall, managements rights, official time, past practice, pension, promotion, safety and health, seniority, sexual harassment, strikes, lockouts, work stoppage, slowdowns, subcontracting, contracting out, tenure, reappointment, union security, theft, wages (cost of living, holiday pay, incentive pay, out of classification, merit pay, overtime pay, compensatory time off, severance, vacation pay), work hours, schedules, assignments, working conditions, work orders, violence or threats of violence, improper use of chemicals, environmental hazards, Americans with Disabilities, and drug and alcohol issues.

Other Qualifying Experience

Engaged in full time practice as a Labor Arbitrator, since 1995. Practice was divided between labor arbitration, ADR and civil litigation from 1984 through 1995. Interned as Labor Arbitrator and engaged in General Practice of Law, primarily civil litigation 1982-1984.

Conducted about 160 securities arbitrations for the NYSE (1983 to present) and the NASD (1984 to present), including presiding over a five million-dollar claim. [Now known as FINRA]

Hennepin County (Minneapolis, MN) I was an Arbitrator and Family Court Settlement Referee. In Ramsey County (St. Paul, MN) I worked as a family court Mediator.

I was part of the NASD's initial attempt to mediate securities claims.

Educational Background

B.A., Political Science, University of Minnesota, 1972
M.A., Social Studies Education, College of St. Thomas, 1973
M.A., Special Education, College of St. Thomas, 1976
J.D., William Mitchell College of Law, 1982

Professional Certifications and Licenses

Attorney, State of Minnesota, Admitted to bar 1982
Attorney, Federal District Court, Admitted 1972
Securities Broker, General Securities Series, 1980 [not current]
Certified teacher (K-12 Special Education, Secondary Social Studies), 1972 [not current]

Membership in Professional Organizations

National Academy of Arbitrators
National Academy Video Task Force
Industrial Relations Research Association, Oregon chapter

Minnesota Bar Association (Labor and ADR Sections), member since 1982
Hennepin County Bar Association, member since 1982
Society for Professionals in Dispute Resolution, member periodically since 1982

Availability and Fees

- Availability:
- Grievance arbitration, Fact-finding, Interest Arbitration.
 - Prepared to conduct virtual hearings via Zoom (as host). Also available to use other videoconferencing software such as WebEx or Microsoft Teams at parties' request.
 - For all hearings, arbitrator is conducting a prehearing conference at no cost. For video hearings, conference covers all issues of concern, such as handling and displaying of exhibits. For in-person hearings, conference covers necessary safety concerns, including protective face masks, physical distance, and document handling.
- Constraints on Time: None.
- Current Fees: \$1,750.00 per diem applied to travel to and from the hearing location, hearing, research, study and preparation of the award.
- Cancellation Fees: No cancellation fee if cancelled more than 30 days before scheduled hearing date. \$1,000.00 per scheduled day of hearing if cancelled within 30 days but more than 15 days of the scheduled hearing date. \$1,750.00 per scheduled day of hearing if cancelled within 15 days of the scheduled hearing date.
- Travel/Subsistence Charges: Cost of travel from Washington State address and actual costs incurred, including hotels and meals; mileage at IRS expense rate.
- Other Fees Charged: Copies, phone, clerical assistance.