

MARY THERESA METZLER, ESQ.

Arbitrator and Mediator

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OCCUPATION Full-time Arbitrator and Mediator

EXPERIENCE Over 30 years' experience in labor and employment field, including 9 years as a neutral attorney with the National Labor Relations Board ("NLRB"). Subsequently worked as in-house counsel and later entered private practice, focusing exclusively on labor and employment matters. Extensive experience in both private and public sectors. Have participated in all aspects of labor relations, including arbitrations, collective bargaining negotiations, mediations, fact-findings, contract interpretation, NLRB and Pennsylvania Labor Relations Board matters, wage and hour, employment discrimination, injunctions and state/federal court proceedings. Have handled a number of interest arbitrations.

Dealt with a wide variety of labor relations and employment issues, including just cause for discipline and discharge, discrimination, arbitrability, seniority, promotions, management rights, drug/alcohol offenses, benefits, plant closings, layoffs, subcontracting, bargaining disputes, strikes, picket-line activities, leave and absenteeism policies and past practice. In law practice, handled hundreds of arbitration proceedings and negotiated numerous collective bargaining agreements. Served as panel arbitrator in grievance arbitrations. At NLRB, served as neutral Hearing Officer, investigator, fact-finder and litigator.

INDUSTRIES Aerospace, automotive, banking, bakery, beverage, broadcasting, building maintenance, chemicals, communications/media, construction, dairy, education, entertainment/arts, food, gas and electric, health care, hospitals/nursing homes, hotels/casino, manufacturing, nuclear energy, public sector (state and local government, housing agencies, police/fire, prison guards, public works, refineries, school district employees, teachers, office workers/clerical and court-related personnel), social and human services, public transportation, trucking, utilities, universities, and warehousing.

EDUCATION

University of Pittsburgh School of Law, Pittsburgh, Pennsylvania 1979
Juris Doctor, *Cum Laude*; Order of the Coif

University of Pennsylvania, Philadelphia, Pennsylvania 1976
Bachelor of Arts, Major - Psychology; Minor – English

BAR ADMISSIONS

Supreme Court of the United States 1993
United States Court of Appeals for the Third Circuit 1992
United States District Court for the Eastern District of Pennsylvania 1992
United States District Court for the Western District of Pennsylvania 1979
Supreme Court of Pennsylvania 1979

ALTERNATIVE DISPUTE RESOLUTION TRAINING

NAA Arbitrator Salon, 2018-Present; AAA, Successful Labor Arbitration Techniques (Presenter), Atl. City, NJ, 2019; Arbitrating in the Federal Sector (FMCS Training), 2019; NAA Annual Meetings, 2019, 2018 and 2016; NAA and AAA "Meet the Arbitrators" Program (Presenter), PHL, 2017; FMCS Arbitration Symposium, 2019 and 2017; AAA, Labor Arbitrator II, 2015; FMCS Institute, Becoming a Labor Arbitrator, 2015; AAA, Making Rulings on Evidentiary Objections, 2015; AAA, Labor Arbitrator I, 2014; Center for Dispute Settlement, Mediation for the Professional (mediator training), Wash., DC, 2014; ABA, Workplace Investigations: An Update and Best Practices (Instructor), 2013; Cornell University ILR School, Scheinman Institute on Conflict Resolution and AAA, Labor Arbitration in a Time of Economic Crisis, 2009

WORK HISTORY

NATIONAL LABOR RELATIONS BOARD, Pittsburgh, Pennsylvania 1979-1988
Trial Specialist/Field Attorney- Region Six

Served as neutral investigator and fact-finder in matters brought before the NLRB; investigated hundreds of unfair labor practice charges; prosecuted violations of NLRA; litigated unfair labor practice cases before Administrative Law Judges; served as impartial Hearing Officer in formal NLRB hearings; handled injunction matters in federal court; prepared NLRB representation case decisions on complex bargaining unit issues; issued objections reports; and facilitated numerous settlements between the parties.

DUQUESNE LIGHT COMPANY, Pittsburgh, Pennsylvania 1988-1989
In-House Counsel for Labor and Employment

Responsible for all aspects of labor and employment matters for electric utility company.

SPRECHER, FELIX, VISCO, HUTCHINSON AND JARIN, Philadelphia, Pennsylvania 1990-1991*
Associate, Labor and Employment

*Firm merged with Montgomery, McCracken, Walker & Rhoads, LLP in 1991

Practice covered all aspects of labor and employment law (management-side); extensively researched various issues under NLRB law; and handled representation case proceedings before the NLRB and PLRB.

MONTGOMERY, MCCRACKEN, WALKER & RHOADS, LLP, Philadelphia, Pennsylvania 1991-2002
Partner (1997-2002), Associate (1991-1997), Labor and Employment Department

Practiced all aspects of labor and employment law (management-side) in both private and public sector; handled NLRB matters including one of the largest representation cases in history of NLRB, Region Four; and dealt with numerous claims (Title VII, ADEA, ADA, FLSA and FMLA) before local, state and federal agencies.

BALLARD SPAHR LLP Philadelphia, Pennsylvania 2002-June 2014
Partner, Labor and Employment Group

Handled all aspects of labor and employment law (management-side) in both public and private sector. Practice included: grievance arbitrations; collective bargaining negotiations; workplace investigations of EEO and other human resources matters; appellate work in Pennsylvania, New Jersey and federal courts; participation in mediations for collective bargaining and EEOC matters; and NLRB and PLRB representation and unfair labor practice proceedings.

PROFESSIONAL ASSOCIATIONS The College of Labor and Employment Lawyers (**Fellow**); Labor and Employment Relations Association, Philadelphia Chapter (**President 2011-2012**) (**Board Member 2008-2013**) and Central Pennsylvania Chapter; American Bar Association, Committee on the Development of the Law under the NLRA (2007-present) and Speaker at Mid-Winter Meetings (2008 and 2013).

ARBITRATION ROSTERS AAA Labor Panel; FMCS Roster; Pennsylvania Bureau of Mediation; Pennsylvania Labor Relations Board's List of Fact-Finders and Arbitrators; Phila. Gas Works & Gas Works Employees Union Panel; Princeton Univ. & FOP Lodge #75 Panel; Phila. School District & SEIU, Local 32 BJ Panel; AFSCME DC 88 & Montgomery County, PA Panel

OTHER PROFESSIONAL HONORS AND ACTIVITIES

Member, **American Arbitration Association (AAA) Rules Subcommittee**
Commendations from NLRB General Counsel for Highest Quality Work Performance (1981, 1985 and 1987)
AV Preeminent Rating, Martindale-Hubbell
Instructor, **National Academy of Arbitrators and AAA** training seminars
Numerous training and speaking engagements
Guest Lecturer on Labor Relations at Holy Family University, Philadelphia, Pennsylvania

PUBLICATIONS

Contributing Editor, **The Developing Labor Law** (2007- 2014)
Author, "We Never Talk Anymore: Evaluating Confidentiality Rules and No-Fraternization Policies- Exactly Who Are the Carthusian Monks?," **The Labor Lawyer** (Vol. 24, No. 2) [Fall 2008]
Co-Author, "Disclosure of Witness Statements in Workplace Investigations," **ABA Journal of Labor & Employment Law** (Vol. 29, No. 1) [Fall 2013]

COMMUNITY SERVICE

Mentor, Constitution High School, Philadelphia, Pennsylvania (2008-2011); Participant, Philadelphia READS Program (1995-2008); and Volunteer, Devon Horse Show (2008-present).

COMPENSATION

Arbitration and Fact-Finding: \$1,750 per day. Daily rate charged for hearing, preparation and study time. Per diem charged for cancellation or postponement within 21 calendar days of scheduled hearing date. Fee waived if notice received 21 calendar days or more before the date of the hearing. **Mediation:** \$1750 per day. The per diem rate is applied to any portion of a day spent in mediation up to seven hours. Cancellation and postponement policy is same as arbitration. Travel expenses will be charged for arbitration and mediation. Travel expenses, including air fare, train fare, ground transportation, meals and lodging, are charged from closest locale (either West Chester, PA or Selbyville, DE). Travel time may be charged on a pro-rated basis of per diem (based on a 7-hour day). Automobile mileage is charged at applicable IRS mileage rate. Also able to conduct video hearings. I am unwilling to travel by airplane due to current risks associated with COVID-19.

CITIZENSHIP

United States of America

LOCALE

West Chester, PA and Selbyville, DE