

## **JOSHUA M. JAVITS**

**MEDIATOR AND ARBITRATOR** for labor-management, employment, pension, commercial, contract, personal injury, and other disputes. Memberships and Panels include:

- National Academy of Arbitrators
- Society of Federal Labor and Employment Relations Professionals
- American Arbitration Association (AAA)(Labor Arbitration Panel)
- Federal Mediation and Conciliation Service (FMCS)(Labor Arbitration Panel)
- National Mediation Board (NMB)(Arbitration Panel)
- National Association of Railroad Referees (Ex-President)
- International Monetary Fund – Chair, Grievance Committee (2007-2011)
- Major League Baseball Players Assn.: Player-Agent Fee Disputes
- National Basketball Association – System Arbitration Appeals Panel
- Office of Collective Bargaining (New York City)
- New York State Employment Relations Board
- Attorney-Client Arbitration Board (Washington, D.C.)
- Civil Mediator—District of Columbia Superior Courts
- Mediator—United States District Court for District of Columbia
- Hotel Association of Washington DC/UNITE HERE: Mediation
- LSG SKY CHEFS/ UNITE HERE: INTEREST ARBITRATION
- Neutral, NCCC/CRLO/UTU Joint Plan Committee, Railroad Employees National Health and Welfare Plan
- Delta/ALPA
- United Airlines/AFA/IAM/ALPA/IBT
- Southwest Airlines/SWAPA (Pilots)/TWU
- American Airlines/APA (Pilots)
- Internal Revenue Service/Nat'l Treasury Employees Union
- Port Authority Employment Relations Panel/PBA
- United Parcel Service/IPA(Pilots)
- FedEx/ALPA (Pilot Benefit Review Board)
- Washington Hospital Center/Nurses United
- Johns Hopkins Hospital/1199 SEIU

- JetBlue/ALPA
- Alaska Airlines/IAMAW
- Comptroller of the Currency/NTEU
- Hotel Assn. of Washington, DC/UNITE HERE Local 25 (Mediator)
- International Broadcast Bureau/AFGE L. 12
- ABX Air/APA
- Presidential Emergency Board (“PEB”) 242 (2007) – AMTRAK/8 Unions; PEB 243 (2011) Freight Railroads/11 Unions; PEB 245 (2014) LIRR/8 Unions; PEB 249 (2016) NJT/12 Unions
- Spirit Airlines/ALPA
- COMPASS/ALPA
- ENVOY/TWU
- MESA/ALPA

**FORD & HARRISON LLP, PARTNER (1993 to 2001)**

Partner with Ford & Harrison, a 150-attorney firm located in 10 cities practicing labor and employment law. Engaged in collective bargaining negotiations, arbitration, and litigation of labor and employment law matters on behalf of management. Represented local governments, regional authorities, and “privatized” entities. Served as executive director of the Labor Relations Association of Passenger Railroads.

**NATIONAL MEDIATION BOARD, CHAIRMAN AND MEMBER (1988 to 1993)**

Presidential appointee responsible for administering the Railway Labor Act governing labor relations in the airline and railroad industries. Handled numerous collective bargaining and representation disputes. Responsible for other duties, including budget, congressional testimony, and administration of the federal arbitration program.

**LABOR-MANAGEMENT ARBITRATOR (1985 to 1988)**

Served on numerous arbitration panels, including the AAA, FMCS, NMB, and several private-sector panels. Also performed non-labor Corporate law as an Associate with CADES SCHUTTE FLEMING & WRIGHT.

**MULHOLLAND & HICKEY, (1983 to 1985)**

Attorney engaged in labor and employment law litigation in federal and state courts and before agencies on behalf of labor organizations. Specialized in public sector and transportation industry matters. Responsible attorney in several employment discrimination class action cases.

**NATIONAL LABOR RELATIONS BOARD, (1978 to 1983)**

Trial attorney engaged in enforcing federal labor laws. Litigated in federal courts and before administrative law Judges. Presided as hearing officer and drafted representation case reports and decisions. Investigated unfair labor practice and election misconduct charges in various industries, including steel, mining, transportation, hotel, health care, food, construction, entertainment, publishing, and communications.

### **ADJUNCT PROFESSOR (1990 to 2002)**

Georgetown University Law Center: Courses for Graduate LLM program:

- Alternative Dispute Resolution in Employment and Labor Law
- Labor Arbitration
- Transportation Labor Law

### **SELECTED PUBLICATIONS**

- Gig Workers: Walking a Tightrope Without a Safety Net, 2022 J. Disp. Resol. ()  
<https://scholarship.law.missouri.edu/jdr/vol2022/iss2/6>
- **A Quarter Century of New Directions in Leadership and Mission: Chapter 6**  
*J. Javits, Book Chapter, The NAA'S Role in Airline Labor-Management Relations, 2022*  
<https://joshuajavits.com/sites/default/files/NAA%20at%2075%20A%20QUARTER%20CENTURY.pdf>
- EVOLVING MEDIATION PRACTICES IN THE UNITED STATES,  
<https://joshuajavits.com/blog/evolving-mediation-practices-united-states>
- **Virtual v. In-Person Hearings in a COVID World and Beyond**  
*J. Javits, Arbitrate, April 2021*  
<https://arbitrate.com/virtual-v-in-person-hearings-in-a-covid-world-and-beyond/?fbclid=IwAR0NRThkwtZDcsR15LZ349Zy4rzP5RJUQHpsrQR3q4MvSsz03ntZj8Ry3ds>
- **BETTER PROCESS, BETTER RESULTS: INTEGRATING MEDIATION AND ARBITRATION TO RESOLVE COLLECTIVE BARGAINING DISPUTES**  
[https://www.americanbar.org/publications/aba\\_journal\\_of\\_labor\\_employment\\_home/jlel\\_v32/abajlel\\_v32n2winter2017.html](https://www.americanbar.org/publications/aba_journal_of_labor_employment_home/jlel_v32/abajlel_v32n2winter2017.html)
- Internal Conflict Resolution at International Organizations, ABA Journal of Labor & Employment Law, Winter, 2013, **vol. 28, no. 2**, page 223
- US Airline Labor Relations, Speech to EU-US Aviation Forum on Liberalisation and Labour Organized by the European Commission, Washington, DC, December 3, 2008
- “Becalming Brewing Battles: Airline Collective Bargaining,” NAA Proceedings, (May 2007)
- “A Neutral’s Perspective on Presidential Emergency Boards,” and “Emergency Board Procedures under Sections 9A and 10 of the Railway

Labor Act,” materials for ALI-ABA course on Airline and Railroad Labor and Employment Law, April, 2006

- *How Arbitration Works*, Elkouri & Elkouri, Board of Editors – Contributor, 6<sup>th</sup> Ed.
- “Airline Collective Bargaining: Reform or Reframe,” *J. Trans. Law, Logis & Pol’y* (Spr. 2003)
- “Crisis Negotiations” *World Arbitration and Mediation Report* (May 2002)
- “It’s the Real Thing: \$192.5 Million,” *SHRM Legal Report* (March–April 2001)
- “The Mother of All Mediations,” *World Arbitration and Mediation Report* (December 2000)
- “Emergency Board Procedures Under the Railway Labor Act” and “Crisis Negotiations: How Labor and Management Can Best Navigate Major Changes in the Midterm Contract Period,” materials for ALI-ABA course on Airline and Railroad Labor and Employment Law, April 2002
- “Mandatory Arbitration and Labor Not Ideal Mix,” *National Law Journal* (June 26, 2000)
- “Mediation’s On—Grab a Spoon,” *HR Magazine* (April 2000)
- “High Court to Revisit Issue of Mandatory Arbitration,” *National Law Journal* (October 5, 1998)
- “The Virtue of Limited Engagement,” *Journal of Commerce* (May 15, 1997)
- “Collective Bargaining in a Global Environment,” 62 *J. Transp.L.* 187 (1995)
- Chapter 11 in *Airline Labor Relations in the Global Era: The New Frontier*, ed. Peter Cappelli (Ithaca, N.Y.: ILR Press/Cornell University Press, 1995)
- “Settling Airline Labor Disputes,” *Journal of Commerce* (February 10, 1994)
- “A Collective Bargaining Analysis,” *Air Line Pilot* (June 1992)

## **EDUCATION**

Georgetown University Law Center, J.D., 1978

Law Review: Law and Policy in International Business, Editor, 1977–1978

Yale College, B.A. (Economics), 1972

## **TRAINING**

- Mediation Training, 76 hours, Northern Virginia Mediation Service, 2001
- Interest-Based Bargaining, 16 hours, National Mediation Board, 1999–2000
- Civil Mediation Training, 28 hours, District of Columbia Superior Court, 2001
- Mediation Training, 16 hours, U.S. District Court for District of Columbia,

2001

**BAR ADMISSIONS**

California; New York; District of Columbia

**RATINGS**

“AV”—Highest Rating—Martindale Hubbell; *Best Lawyers in America*,  
2001–Present