

## **RALPH S. BERGER**

**ARBITRATOR** 1982-present

**PANEL MEMBER** AAA - Labor, Employment & Commercial Panels; FMCS; NMB; NYS PERB; NJ PERC; NYS Employment Relations Bd; NJS Bd of Mediation; Town of Hempstead, NY PERB; Nassau Cty PERB; Suffolk Cty PERB; Virgin Islands PERB; NYS Dept. of Ed-Sec. 3020(a); NYS Human Rights Arbitration Panel; NYC Office of Collective Bargaining; NYC Health and Hospitals Corp.; Dade Cty, FL Hearing Examiner System; NY-NJ Port Authority Employment Relations Panel; GSA-EEO Mediation Panel; CPR Institute for Dispute Resolution; MediationOne

**DESIGNATIONS** League of Voluntary Homes and Hospitals of NY & 1199, SEIU; League of American Theatres and Producers & Local 802, AFM/Society of Stage Directors & Choreographers/Actors' Equity; AMPTP & Screen Actors Guild/AFTRA; City Center & IATSE, Local 1; Major League Baseball Player Relations Committee & Major League Baseball Players Ass'n; National Hockey League/NHL Players' Ass'n; TWA & ALPA; El Al Airlines & IAMAW; USAir Shuttle & AFA; UPS & Local 804, IBT/Local 177, IBT/Independent Pilots Ass'n; Airborne Freight & Local 851, IBT; Con Ed/NY Power Auth. & Local 1-2, UWUA; PSE&G & IBEW, Local 94; CCC/Shipping Ass'ns-ILA Program for Drug & Alcohol Abuse; Lockheed Martin TDS & Locals 444, 445 & 450, IUE; Merck & OCAW; Orange Cty, NY/Washingtonville CSD & Local 1000, CSEA; Barneys/Brooks Bros./Moe Ginsburg & Local 340, UNITE; NYC Bd of Ed & UFT; NY-NJ Port Authority & PBA/SBA/DEA/LBA/BTU/CWA/TWU/SOA; NYC Private Bus Lines Health Benefits Trust & TWU: Local 1199 Home Care Industry Benefit, Pension & Education Funds; Textile Workers Pension Fund; Dist. 65, UAW Pension Plan; Local 966, IBT Health & Pension Funds; Columbia Univ Fact Finding Panel for Officers & Nonunion Support Staff; Columbia Univ. & Local 2110, UAW JLMC; Rutgers Univ. & AAUP Mediation Panel; Columbia University & Supporting Staff Ass'n; Barnard College & Local 264, TWU; 1st Transit & TWU, Local 100; Parker Jewish Geriatric Inst. & NYSNA; Flying Tiger Line & District 141, IAMAW; Nontraditional Employment for Women & Dist. 65, UAW; NYC Bd of Ed & UFT-Expedited Section 3020(a) Disciplinary Procedures; Northport School District & NYSUT; Restaurant League of NY/Inhilco/Second Ave Deli/Fraunces Tavern & Local 100, HERE; Entenmann's & Bakery Drivers, Local 802; Stroehmann's & Bakery Drivers, Local 550; Jamaica Hosp./Baptist Hosp. & Local 144, SEIU; Highland Hosp. & Local 1199; United Hebrew Geriatric Center & 1199; Capital Nursing & Local 97, IBT; Silvercrest Extended Care & 1199 SEIU; White Plains SD & CSEA; Haldane CSD & Haldane TA, NYSUT; Tavern on the Green & Local 424, UIW; Wyckoff Hgts Hosp./Syosset Com. Hosp./Campbell Nursing Home & Local 1115, HERE; Unique Mfg. & Local 132-98, ILGWU; Plumbing and Heating Wholesalers Ass'n & Local 282, IBT; Brookhaven Mem. Hosp. & Local 806, IBT/Fed. of Nurses, NYSUT; Coach/National Handbags Ass'n/Parks Sausage/American Fed'n of Retail Kosher Butchers/Mission of the Immaculate Virgin & UFCW Local 342-50; Town of

Ralph S. Berger

**DESIGNATIONS Cont'd**

Hempstead, NY/Nassau County, NY & Local 880, CSEA; GHI & Local 153, OPEIU; Suffolk County, NY Water Authority & Local 393, UWUA; Shield Institute & DC 1707, AFSCME; Mountainview Condos & Local 32E, SEIU; Lumber Industry & Local 282, IBT; Phillips & Local 819, IBT; Macy's & Local 1, RWDSU; Matsushita Electric & Local 805, IBT; Beth Israel & 1199; Bergen Medical Center & AFSCME Council 52; NYC Bd of Ed & Council of Supervisors & Administrators; NY Daily News/Newspaper & Mail Deliverers; Verizon & IBEW, Local 827; International Center for the Disabled & IBT, Local 815; Ulster-Greene ARC & UNITE; PSCH & UNITE; National Express & Operating Engineers, Local 825; City University of NY & Professional Staff Congress; Teachers College of Columbia University & IBT, Local 707

**LECTURER**

1981-present                      Cornell University, NYSSILR, Extension Division; American Arbitration Ass'n; Labor Arbitration Institute; New York Law School; Cardozo Law School; New York University; Pace University; American Bar Ass'n; NYC Bar Ass'n; National Academy of Arbitrators

**EXPERIENCE**

**TRIAL EXAMINER**

1981-1985                      Office of Collective Bargaining (New York, NY)

**ATTORNEY**

1978-1981                      National Labor Relations Board (Brooklyn, NY)

**EDUCATION**

1978                              J.D., Hofstra University School of Law  
1974                              B.S., Cornell University, NYS School of Industrial and Labor Relations

**PUBLICATIONS**

What Arbitrators Really Need to Know in Health Care Arbitration, Arbitration 2003,  
Arbitral Decision-Making: Confronting Current and Recurrent Issues, Proceedings of the 56th Annual Meeting, National Academy of Arbitrators, ed. Charles J. Coleman (Washington: BNA Books 2004), 147.  
Differences in Arbitrating Labor and Employment Disputes, N.Y. Law Journal, July 10, 1996, at 3, col. 1.

**PUBLICATIONS Cont'd**

- Structural Changes in Health Care and Its Effects on Arbitration, *Arbitration 1995: New Challenges and Expanding Responsibilities*, Proceedings of the 48th Annual Meeting, National Academy of Arbitrators, ed. Joyce M. Najita (Washington: BNA Books 1996), 102.
- The Arbitral Perspective on Treatment as a Mitigating Factor in Cases Involving Substance Abuse, *NYSBA Labor and Employment Law Section Newsletter*, Vol. 18, No. 2 (September, 1993).
- AIDS in the Workplace, *Arbitration Journal*, Vol. 48, No. 1 (March, 1993).
- AIDS and Employment: Judicial and Arbitral Responses, *Labor Law Journal*, Vol. 43, No. 5 (May 1992) (Co-authored with Gregory L. Lewis).
- Arbitration in the Health Care Field, 3 *Labor and Employment Arbitration* 88-1 (Matthew Bender 1988; 2d ed. 1997) (Co-authored with Susan Mackenzie).
- The Collective Bargaining Agreement in Bankruptcy: Does the Duty to Arbitrate Survive?,  
*Labor Law Journal*, Vol. 35, No. 11 (November 1984).
- Training Programs for Neutrals, *Journal of Collective Negotiations*, Vol. 6, No. 2 (1977).
- The Courts and the Equal Employment Opportunity Commission View Sex Discrimination Against Males, *Industrial and Labor Relations Forum*, Vol. 10, No. 1 (March 1974).

**PROFESSIONAL ORGANIZATIONS**

National Academy of Arbitrators  
American Arbitration Association  
Industrial Relations Research Association  
NYS Bar Association-ADR, Labor & Employment Law Sections

4/3/06