



**Attorney // Arbitrator // Mediator // ALJ**

Lic. NM, CA

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May 4, 2020

Via E-mail and U.S. Mail

Emily Lapel  
Denver City Council  
1437 Bannock St.  
Denver, CO 80202  
Email: [Emily.Lapel@denvergov.org](mailto:Emily.Lapel@denvergov.org)

**Re: City and County of Denver's Permanent Panel of Arbitrators**

Dear Ms. Lapel:

I was very excited to hear from Norm Bennett, the Southwest Rockies (SWR) Regional Chair for the National Academy (NAA), that the Denver city Council is seeking new applicants to the City and County's Permanent Panel of labor arbitrators.

As Norm and others within the NAA and the SWR Regional chapter can attest, I am very well qualified to serve on this Panel. As an initial matter, I am of course a member of the NAAs; and I have also been certified as an Administrative Law Judge through the National Association of Hearing Officials (NAHO). Moreover, I am active in both the national organization and the SWR Region. For instance, I served on the Program Committee for the 2020 SWR annual conference, and also presented at the SWR 2019 and 2020 conferences. Additionally, I served on the NAA 2020 Host Committee, and am serving on the NAA 2021 Program Committee.

In addition to being active in the NAA and within my SWR Region, I am also a proud and dedicated Colorado resident. I moved here in 2015, to the charming High Plains town of Yuma, Colorado, where my husband's family are Centennial homestead farmers. While Yuma may seem remote to some, I regularly make the easy and beautiful drive to Denver, where my father's family settled in late 1880s (The Flower-Vaile house in Denver, in fact, is on the historic register and remarkable for both its decorative eclecticism and the historical significance of its owners.)

As far as technical qualifications go, I am a 20-year attorney licensed in New Mexico and California, and I have been an arbitrator and mediator since 2010. Before that I spent five years as a Hearing Officer for the New Mexico Public Employment Relations Board. I have also

received extensive training in administrative adjudication and mediation through the National Judicial College (NJC); and extensive labor arbitration training over the years through the Federal Mediation and Conciliation Service, the American Arbitration Association, the NAA, and the SWR Chapter of the NAA.

Finally, I am also well versed in the specific areas of interest to the City. I have handled a number of impasse matters over the years, including for Valencia County, NM deputy sheriffs; Aurora, CO police; and Vinita, OK firefighters. I have also handled many contract interpretation and disciplinary matters involving police, deputy sheriffs, and other law enforcement or corrections bargaining units, including for Aurora, CO police; Brighton, CO police; Bernalillo County, NM deputy sheriffs; Belen, NM police; Phoenix, AZ police; Norman, OK police; U.S. Customs and Border Patrol; and the U.S. Bureau of Prisons.

Please accept this letter and attached FMCS biography, as my application to be considered to serve on the City and County of Denver's Permanent Panel of labor arbitrators under § 9.8.8 of the City Charter. I would be honored to serve on this Panel. Please let me know if I can provide any additional information to you, in the selection process.

Sincerely,



Pilar Vaile

Enc.

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**Present Occupation:** Attorney, Arbitrator, Mediator, ALJ.

**Primary Business Address**

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**Secondary Business Address**

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Taos, NM 87571

**PROFESSIONAL LICENSES & AFFILIATIONS**

California State Bar (2004)  
Federal Mediation and Conciliation Service (FMCS)  
New Mexico State Bar (2000) (inactive)  
National Academy of Arbitrators (NAA)  
National Association of Hearing Examiners (NAHO) – Certified ALJ

**EDUCATION**

National Judicial College (NJC) – Judic. Development Certificates in Admin. Law and Dispute Resolution  
J.D. with Thesis Honors, University of New Mexico School of Law (UNM)  
B.A. *magna cum laude*, UNM  
Ovey Comeaux High School, Lafayette, Louisiana

**PRIOR EXPERIENCE**

**2010 to Present:** Pilar Vaile, Arbitrator, Mediator and ALJ. Serve as labor and employment arbitrator, mediator and hearing examiner for various state and national panels.

**2004- 2010:** New Mexico Public Employee Labor Relations Board, Board Member, and later Deputy Director and Hearing Examiner.

**2000- 2004:** Youngdahl & Sadin, P.C. and successors in interest (including Youngdahl & Youtz). Class action litigation associate, handling antitrust, wage and hour, and consumer protection matters; also handled matters filed under the National Labor Relations Act, the Federal Employers Liability Act, and state common law of employment.

**ISSUES**

Americas with Disabilities Act, original and as amended; arbitrability; Back Pay Act; bargaining unit work; benefits (leave, insurance and pension); clothing/uniforms; conduct (off-duty/personal); conditions of employment; demotion; disability; discipline (discharge and non-discharge); discrimination (age, disability, race, nationality and gender); Federal Labor Relations Authority; hiring practices; impasse arbitration; job post-

ing, bidding and classification; jurisdiction disputes; management rights; Merit Systems Protection Board; National Labor Relations Act and Taft-Hartley Act; official time/"union time"; Occupational Safety and Health Act; pay (base, holiday, incentive/differential, overtime); past practices; performance appraisals; probationary status; promotion; Rehabilitation Act; public sector taxation and budgeting; representation petitions; retirement, defined benefit and defined contribution plans; safety/health conditions; scheduling; seniority; subcontracting/contracting out; unfair labor practices; violence or threats in the work place; and vocational rehabilitation.

## **INDUSTRIES**

Air Force, Army, Dept. of Defense; Customs & Border Patrol; Bureau of Prisons; clerical; communications; construction/building trades; custodial trades; education—public and charter, primary and secondary, college and university; engineering trades—mechanical, electrical, chemical; food service; government sector—Federal, State, Municipal and County; health care/hospitals—VA and private sector; IRS; manufacturing; mining; oil/gas/petrochemical; Postal Service; prison/corrections; professional/paraprofessional personnel; public safety—police and fire; transportation; Veterans Affairs.

## **ARBITRATION/NEUTRAL ROSTERS**

American Arbitration Association (AAA)  
Federal Mediation and Conciliation Service (FMCS)  
National Mediation Board (NMB)  
California Public Employment Relations Board  
California State Mediation and Conciliation Service  
D.C. Public Employee Relations Board  
Illinois Educational Labor Relations Board  
Michigan Employee Relations Commission  
Montana Board of Personnel Appeals  
Oregon Employment Relations Board  
Washington Public Employment Relations Commission  
Kirtland AFB and AFGE 214 Panel of Arbitrators  
UFCW 1564 and Smith's & Albertson's Permanent Arbitrator Panels  
Freeport McMoRan (AAA Priv. Employment Panel)

## **PUBLISHED AWARD(S)**

*IRS and NTEU*, 114 LRP 41403 (Arb. Vaile, 2014), *aff'd* 115 LRP 41010 (FLRA).

## **MILITARY EXPERIENCE**

Army, Active Duty 1987-1990 (Spec. E-5, MOS Legal Spec.)  
Louisiana National Guard, 1990-1993 (Sgt. E-5, MOS Legal Spec. and Personnel Spec.)

## **FEE INFORMATION AND REFERENCES AVAILABLE UPON REQUEST**