

ROGER MACDOUGALL

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PROFESSIONAL AFFILIATIONS:

American Arbitration Association	American Bar Association
Dispute Resolution Board Foundation	Canadian Bar Association
Federal Mediation and Conciliation Service	Alberta Bar Association
Labor Employment Relations Association – Chicago	Quebec Bar Association
United States Council for International Business	International Chamber of Commerce
International Court of Arbitration	Association of Professional Engineers and Geoscientists of Alberta
National Mediation Board	US/Canada Business Council

EDUCATION:

LL.B. / J.D. University of Alberta
MBA University of Alberta
B.Sc. (Civil Engineering) University of Alberta

Certifications:

Alberta Bar Association
Quebec Bar Association
Professional Engineer
Senior Professional in Human Resources

ARBITRATION / LABOR RELATIONS / CONSTRUCTION EXPERIENCE:

2012 – Present: Adjunct Professor of Law – Arbitration Advocacy (J.D. Program), Models of Dispute Resolution (LL.M. Program), Client Counseling; Coach of Arbitration, Mediation and Client Counseling Teams, John Marshall Law School, Chicago
2012 – Present: Instructor of Hearing Officers (arbitrators) – contracted by the State of Illinois as the sole-source to develop and teach the legislatively-required course on Tenured Teacher Dismissals to all arbitrators in Illinois who wish to conduct these cases
2010 – Present: Arbitrator (see industries and issues below)
2000 – 2010: Served as Director and Senior Director of Human Resources and Labor Relations for 10 railroads in the U.S. under the Canadian National Railway Company group of subsidiaries; served as lead negotiator and lead arbitration expert for over 90 labor agreements covering 6,600 employees.
1995 – 2000: Legal counsel (employment and labour relations) for CN in Canada, covering 22,000 employees in over 10 countries.
1981 – 1995: Professional Engineer supervising multi-million dollar construction projects for CN throughout Canada (bridges, buildings, roadbed construction, stabilization projects, geotechnical engineering, hydraulic engineering).
1977 – 1981: Geotechnical project estimator; family construction firm – machine operator, construction supervisor.
Taught seminars on the practice of law, labor relations, employment and arbitration at John Marshall Law School, McGill University, University of Alberta and University of Illinois.

Invited guest Judge at: International Mediation Conference – Loyola University; ABA National Mediation Competition; ABA Arbitration Competition; ABA Trial Advocacy (Labor and Employment) Competition; International Client Counseling Competition; John Marshall Moot Court Competition
Completed FMCS course on Becoming a Labor Arbitrator, Washington, DC
Completed Master Arbitrator class at the International Court of Arbitration, Paris, France

INDUSTRIES:

Railroads, Postal Service, Airlines, Nuclear Power, Retail, Police, Transit, General Construction

ARBITRATION ROSTERS:

National Mediation Board (currently serving on 8 permanent 3-party panels as neutral member, all as chosen by the parties); Dispute Resolution Board Foundation; International Court of Arbitration; Federal Mediation and Conciliation Service (serves as party-selected arbitrator – chosen multiple times by the parties); Illinois Labor Relations Board, FINRA, Illinois State Board of Education (Tenured Teacher Dismissal cases); have sat in on cases with the Postal Service, Airline and Nuclear Industries with other arbitrators assigned to those panels.

ISSUES:

Absenteeism, Arbitrability, Bargaining Unit Work, Conduct(Off-Duty/Personal), Demotion, Discipline(Discharge), Discipline(Non-Discharge), Discrimination, Fringe Benefits, Job Performance, Job Posting/Bidding, Jurisdictional Dispute, Layoffs/Bumping/Recall, Management Rights, Past Practices, Pension and Welfare Plans, Promotion, Safety/Health Conditions, Seniority, Sexual Harassment, Strikes/Lockouts, Work Stoppages/Slowdowns, Subcontracting/Contracting Out, Violence or Threats, Wages(Overtime, Holiday pay, etc.), Work Hours/Schedule/Assignment, Working Conditions/Work Orders

FEES and EXPENSES GENERALLY: Unless the parties have advised the arbitrator otherwise, his per diem fees, expenses, postponement or cancellation fees will be shared equally by the parties listed in the FMCS documentation, and are due immediately upon invoicing. As a courtesy, the arbitrator will bill the parties in accordance with their agreement allocating responsibility between them for the fee, but both parties remain jointly and severally liable for the entire fee. At his discretion, the arbitrator may submit an interim bill, particularly where a hearing has been held and the arbitrator has incurred out-of-pocket travel expenses.

FEES:

Grievance Arbitration: \$1200 per 8 hour day or portion thereof, including advance preparation, hearing day(s) and award preparation. **Interest Arbitration, Mediation, Fact Finding, Dispute Resolution:** \$375 per hour; minimum of 4 hours.

Cancellation and Postponement Fees: A full per diem will be charged for each scheduled hearing day of 8 hours or less (including scheduled travel), if canceled, postponed or continued, for any reason, within 30 days or less of the scheduled dates. Otherwise a 50% per diem will be charged, if beyond 30 days but after the hearing has been scheduled.

EXPENSES By automobile, in the greater Chicago area – IRS mileage rate. Otherwise expenses are at cost from Chicago for all airfare, hotels, taxis, car rentals, meals, tolls, parking etc. If travel is during the normal hearing day, there is no charge for time. Otherwise, time is charged for travel at the per diem rate. **Office Expenses:** Parties will be charged for photocopying, postage and other related expenses, however, unless otherwise requested by the parties, communication and document transmission will generally be by electronic means. **Filing Fee:** None