

# **BRIAN CLAUSS**

**Arbitrator Mediator Attorney**

**310 Busse Highway, #291**

**Park Ridge, Illinois 60068**

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**[www.claussadr.com](http://www.claussadr.com)**

***Admitted to the National Academy of Arbitrators***

## ***Clauss ADR. Inc.***

***2004–present***

Professional neutral concentrating in the arbitration and mediation of labor grievances under collective bargaining agreements and employment disputes under employment contracts. Over a thousand matters heard in grievance arbitration, public sector interest arbitration, employment arbitration, mediation, and fact finding.

Arbitration and Mediation roster membership includes: Federal Mediation and Conciliation Service, American Arbitration Association, National Mediation Board, Illinois State Board of Education (tenured teacher dismissals), Illinois Labor Relations Board, Illinois Educational Labor Relations Board, State Universities Civil Service System, Asia Regional Center for Arbitration (former Kuala Lumpur Regional Center for Arbitration.).

Numerous permanent arbitration and mediation panels include: Chicago Public Schools and Chicago Teachers Union, Cook County Sheriff and FOP Labor Council, Cook County Sheriff and Teamsters, Lake County Sheriff and Teamsters, AFSCME and State of Illinois, SEIU and Cook County, among many others.

Frequent continuing legal education presenter at local, national, and international venues. Frequent publisher with over twenty books, chapters, and articles.

## ***The John Marshall Law School Veterans Legal Support Center & Clinic, 2007 -2018***

Executive Director of legal clinic providing pro bono assistance to hundreds of veterans in VA benefits appeals and discharge upgrade appeals. Substantial background in lecturing, webinars, publishing, and media presence.

## ***Cook County State's Attorney, 2004***

***1990-***

*Labor and Employment Unit:* Represented Cook County in labor and employment matters before the Employee Appeals Board, Sheriff's Merit Board, Administrative Review, Equal Employment Opportunity Commission, Illinois Department of Human Rights, and Illinois Labor Relations Board. Defended Title VII, Section 1983 and ADA discrimination cases in Federal Court. Special projects involving information technology.

*Criminal Division:* Prosecuted felonies in trial courts, Illinois Appellate Court and the Illinois Supreme Court. Substantial motion practice, bench trial, jury trial, and appellate experience.

## **PROFESSIONAL ORGANIZATIONS**

National Academy of Arbitrators  
National Association of Railroad Referees  
Labor and Employment Relations Association  
Chicago Chapter - Board of Directors  
Chicago Bar Association  
Military Affairs Committee - Chair  
Illinois State Bar Association  
American Bar Association  
North Suburban Bar Association  
Board of Directors  
Decalogue Society  
Consortium of Law School Veterans Clinics - Board of Directors

## **CIVIC ORGANIZATIONS**

The John Marshall Law School Alumni Board  
Chicago, Illinois 2017-present  
Lutheran General Hospital Oncology Advisory Board  
Park Ridge, Illinois 2011 - 2016  
Lake Forest College Alumni Board  
Career Advancement Committee 2009 - 2016  
Illinois ESGR  
Executive Committee 2006 - 2008  
Park Ridge Police and Fire Commission  
Commissioner 2004 – 2007  
Hephzibah Children's Organization  
Board of Directors 1997-1999

## **FOREIGN LANGUAGE**

German – conversational level

## **ADMITTED TO PRACTICE**

Illinois Supreme Court  
United States District Court for the Northern District of Illinois  
Federal Trial Bar

## **EDUCATION**

The John Marshall Law School, LLM International Trade (pursuing)  
The John Marshall Law School, Juris Doctorate, 1990  
Lake Forest College, Bachelor of Arts, 1986

## **TEACHING**

- John Marshall Law School Veterans Legal Support Center 2008 – 2018
- American Arbitration Association 2011 – present
- Adjunct Faculty -Triton College 2005 -2007

## **PUBLICATIONS**

### **Law Review**

*Protecting Civilian Employment and Providing Healthcare to the Citizen Soldier*,  
University of Memphis Law Review, Vol. 45, No. 4 (Summer 2015)

*Alone in the Wilderness – Reserve Component Service and the Rural Veteran's  
Increased Risk of Homelessness*, Journal of Law in Society, Vol. 13 (Winter 2012)

### **Books**

*Military Service and the Law*, Illinois Institute for Continuing Legal Education (General  
Editor with John Erbes)(2018)

*Servicemembers and Veterans Rights*, Lexis Nexis (2012 through 2017  
editions)(General Editor with Stacey Rae Simcox)

*Military Service and the Law*, Illinois Institute of Continuing Legal Education  
(2009)(General Editor with Joseph Butler)

### **Chapters**

Uniformed Servicemembers Employment and Reemployment Rights Act in  
*Servicemembers and Veterans Rights*, (2017)(Chapter co-author with Marci Karin)

Employment Rights in *The American Bar Association Legal Guide for Military  
Families*, Random House, (2013)

The Uniformed Service Employment and Reemployment Rights Act in *Servicemembers  
and Veterans Rights*, Lexis Nexis (2012 – 2016 editions)

Public Sector Employees in *The Labor Law Handbook* (with Steven Bierig, Michelle  
Camden and Jeanne Wood), Illinois Institute of Continuing Legal Education (2009)

Called to Duty – Military Activation and the Impact on Labor Relations in *Proceedings  
of the 2008 Meeting of the National Academy of Arbitrators*, Bureau of National Affairs  
(2009)

### **Articles**

*Employees Called to Duty – the Employment and Re-Employment Rights of Our  
Returning Illinois National Guard Members* (with Jeanne Charles Wood), Illinois  
Institute for Continuing Legal Education (2009)

*When Employees are Called to Duty* (with Joseph Butler), Chicago Daily Law Bulletin, Volume 154, No. 215 (October 31, 2008)

*National Guard and Reserve Activation and Return – The Current and Coming Issues in Labor Arbitration*, The Chronicle (National Academy of Arbitrators) (September 2008)

*Called to Duty in the National Guard and Reserve – an Overview of Federal and Illinois Laws* (with Margaret Riley Thomas and Lyndsey Kimber), Illinois Municipal Review Vol. 81 No. 3 (February 2008)

"Off-Duty Conduct" in *Managing Workplace Violence* (with Steven M. Bierig and Michelle Camden), American Bar Association (2008)

*Called to Duty – Advising Your Client*, The Young Lawyer (January 2007)

*Employees Called to Military Duty – an Overview of Military Leave and the Service Member's Rights* (with James Capparelli and Lyndsey Kimber), Illinois State Bar Association Labor and Employment Law Newsletter, Vol. 44 No. 5 (December 2006)

*Res Judicata Implications of Police and Fire Commission Hearings* (with Michelle Camden), Illinois State Bar Association Labor and Employment Law Newsletter, Vol. 44 No. 3 (September 2006)

"Public Employees" in *The Labor Law Handbook* (with Steven M. Bierig and Michelle Camden), Illinois Institute of Continuing Legal Education (Supp. 2006)

*Employees Called to Duty in the National Guard and Reserve – an Overview of the Applicable Federal and Illinois Laws*, State Universities Civil Service System (Summer 2006)

## **RECENT PRESENTATIONS**

*Vertrauen und Trauma: Eine Beziehung Aufbauen*,  
Wagner Arbitration, Berlin, Germany

*PTSD in the Workplace: Issues for Labor and Management*  
Federal Mediation and Conciliation Service Annual Meeting, Chicago

*Access to Justice for Rural Veterans*  
Consortium of Law School Veteran Clinics Conference, Washington D.C.

*If Not Me, Then Who and If Not Now, Then When: Why Pro Bono?*  
Sumpah Permuda School of Law, Palembang, Indonesia

*Diverse Approaches to A.D.R. and Avoiding Cultural Assumptions*  
UiTM School of Law, Shah Alam, Malaysia.

*P.T.S.D. in the Rail Industry,*  
National Association of Railroad Referees Annual Meeting, Chicago  
(three-year series on PTSD identification, treatment, and labor-management issues)

*Experiential Learning and a State Agency Internship,*  
Illinois Commission on Human Rights, Chicago

*Veterans as Students,*  
Law School Admissions Counselors Annual Meeting, Palm Springs, California.

*Access to Justice for Rural Veterans,*  
American Association of Law Schools Clinical Conference, Denver, Colorado.

*Uniformed Servicemembers Employment & Reemployment Rights Act,*  
14<sup>th</sup> Annual Employee Benefits Symposium, Chicago

*Veterans, National Guard, & Reserve in the Workforce – Issues for Labor and Management,*  
40<sup>th</sup> Annual Collective Bargaining and Arbitration Conference, Seattle

*Deciding the Tough Issues* (with Sydney Moreland)  
National Mediation Board Railroad Referee Training, River Forest, Illinois

## **FEES**

Per Diem Fee of \$1700.00 for labor matters.

\$1700.00 per day for hearing, research and writing of the award for:

- Grievance Arbitration
- Mediation - Arbitration
- Public Sector Interest Arbitration
- Mediation
- Factfinding

Mediation-Arbitration procedures, consolidated grievances, multiple grievances per day, and expedited grievance procedures are accommodated. The office will gladly work with the parties to establish or implement procedures to increase efficiency and reduce costs.

**Cancellation & Postponements Policy:**

30 days or less: Cancellations or postponements 30 days or less, but more than 15 days, prior to the hearing date are charged half the per diem fee.

15 days or less: Cancellations or postponements 15 days or less prior to the hearing date are charged the per diem.

**Travel Policy:**

No charge for travel within the greater Chicago metropolitan area. Outside the greater Chicago metropolitan area: expenses as incurred and travel time at a prorated per diem. Mileage at the IRS rate.

**Office Expenses and Docketing Policy:**

No charge for normal office expenses including postage, copying and telephone.

No docketing charge.