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FREDA H. ALVERSON PROFESSOR
George Washington University Law Center
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Legal Education: University of Michigan Law School
Ann Arbor, Michigan 48109
Degree: Juris Doctor (Magna Cum Laude) May 1971

Cum. Ave.: 4.075
Class Rank: 2nd in class of 359

MICHIGAN LAW REVIEW: Note & Comment Editor 1970-1971
Junior Editorial Staff 1969-1970

Scholastic Honors:

Member of Order of the Coif (Elected March 1971); Recipient of Corpus Juris Secundum Senior Award; Recipient of Henry M. Bates Memorial Scholarship; Recipient of S. Anthony Benton Memorial Award; Recipient of American Jurisprudence Awards: Criminal Procedure; Labor Law I, Labor Law II, Constitutional Law II, Accounting for Law Students

Pre Law School Education: Cornell University School of Industrial & Labor Relations
Ithaca, New York 14850
Degree: Master of Indus. & Labor Rel., June 1968
Major: Labor Law and Collective Bargaining

Cornell University
Ithaca, New York 14850
Degree: Bachelor of Science, February 1967
Major: Combined Program of Chemical Engineering & Government

Professional Memberships: American Law Institute; California Bar; Labor & Empl. Law Section of A.B.A. [Secty. (1986-87)]; Dispute Resolution Section of A.B.A.; Natl. Acad. of Arbs; Amer. Arb. Assn.; Association for Conflict Resolution; Labor & Empl. Rels. Ass'n.; Labor Arbitrator Panels of Amer. Arb. Ass'n. and Fed. Med. & Concil. Service; Intl. Soc. for Labor & Soc. Sec. Law [Exec. Bd. Mem.]; Chair, A.A.L.S. Labor Rels. Law Section, 1983 & 1984; Editorial Advisory Bd. of Michie Law Pub., 1989-98 & LEXIS, 2007-09; CCH Labor Law Reports Panel of Experts

TEACHING AWARDS

Distinguished Faculty Award. George Washington University Law School (1995)
Outstanding Instructor Award, University of Illinois College of Law (1984)
Outstanding Teacher Award, University of California, Davis, School of Law (1981)
Outstanding Professor Award, University of Florida Law Review (1976)

PAST EMPLOYMENT

Freda H. Alverson Professor 2003-Present
Merrifield Research Professor 1992-2003; Professor 1986-1992
George Washington University National Law Center
Washington, D.C. 20052

Professor 1982-1986
University of Illinois College of Law
Champaign, Illinois 61820

Professor 1977-1982
University of California School of Law
Davis, California 95616

Visiting Associate Professor 1976-1977
University of Virginia School of Law
Charlottesville, Virginia 22901

Associate Professor 1975-1976
Assistant Professor 1974-1975
University of Florida College of Law
Gainesville, Florida 32611

Special Legal Consultant 1974-1976 (Prepared Commission "Rules & Regulations")
Florida Public Employees Relations Commission
Tallahassee, Florida 32301

Lecturer in Law 1973-1974
University of California School of Law
Berkeley, California 94720

Attorney (Labor/Employment Law & General Litigation) 1972-1974
Morrison & Foerster
San Francisco, California 94104

Law Clerk to Judge George E. MacKinnon 1971-1972
United States Court of Appeals for Dist. of Columbia Circuit
Washington, D.C. 20001

COURSES TAUGHT

Labor Law	Legal Negotiating
Employment Discrimination Law	International Negotiating
Alternative Dispute Resolution	Labor & Employment Law Seminars

PUBLICATIONS

A.B.A. Dispute Resolution Section Award for Outstanding Scholarly Work (2018)

I. BOOKS

Employment Law Treatise (2 vol.)

First Edition 1994: West Publishing Co. (with M. Rothstein, E. Schroeder, E. Shoben & L. VanderVelde)

Second Edition 1999: West Publishing Co. (with M. Rothstein, E. Schroeder & E. Shoben)

Third Edition 2004: Thomson/West (with M. Rothstein, E. Schroeder & E. Shoben)

Fourth Edition 2009: Thomson/West (with M. Rothstein, E. Schroeder & E. Shoben)

Fifth Edition 2014: Thomson/Reuters (with M. Rothstein, E. Schroeder, E. Shoben & L.C. Hebert)
(with Annual Cumulative Supps.)

Sixth Edition 2019: Thomson/Reuters (with Rothstein, Hebert, Lobel, Malloy, McCormick & Sperino)

Employment Law Hornbook

First Edition 1994: West Publishing Co. (with M. Rothstein, E. Schroeder & E. Shoben)

Second Edition 1999: West Publishing Co. (with M. Rothstein, E. Schroeder & E. Shoben)

Third Edition 2005: Thomson/West (with M. Rothstein, E. Schroeder & E. Shoben)

Fourth Edition 2010: Thomson/West (with M. Rothstein, E. Schroeder & E. Shoben)

Fifth Edition 2015: Thomson/Reuters (with M. Rothstein, E. Schroeder, E. Shoben & L.C. Hebert)

Sixth Edition 2019: West Academic (with Rothstein, Hebert, Lobel, Malloy, McCormick & Sperino)

Can Unions Survive? The Rejuvenation of the American Labor Movement

1993: New York University Press

Labor Relations Law: Cases and Materials

Seventh Edition 1984: Michie Publishing Co. (with R. Smith, L. Merrifield & T. St. Antoine)

Eighth Edition 1989: Michie Publishing Co. (with L. Merrifield & T. St. Antoine)

Ninth Edition 1994: Michie Publishing Co. (with L. Merrifield & T. St. Antoine)

Tenth Edition 1999: LEXIS Publishing Co. (with T. St. Antoine & M. Crain)

Eleventh Edition 2005: LEXIS Publishing Co. (with T. St. Antoine & M. Crain)

Twelfth Edition 2011: LEXIS Publishing Co. (with T. St. Antoine & M. Crain)

Thirteenth Edition 2016: LEXIS Publishing Co. (with T. St. Antoine & M. Crain)

Fourteenth Edition 2021: Carolina Academic Press (with M. Crain and G. Hayden)
(with Statutory Appendix and Biennial Cumulative Supplements)

Employment Discrimination Law: Cases and Materials

Second Edition 1982: Michie Publishing Co. (with A. Smith & L. Clark)
Third Edition 1988: Michie Publishing Co. (with A. Smith, Jr. & L. Clark)
Fourth Edition 1994: Michie Publishing Co. (with A. Smith, Jr. & L. Clark)
Fifth Edition 2000: LEXIS Publishing Co. (with A. Smith, Jr. & L. Clark)
Sixth Edition 2006: LEXIS Publishing Co. (with A. Smith, Jr. & L. Clark)
Seventh Edition 2011: LEXIS Publishing Co. (with A. Smith & R. Turner)
Eighth Edition 2016: LEXIS Publishing Co. (with A. Smith & R. Turner)
(With Statutory Appendix and Biennial Cumulative Supplements)

Labor Relations Law in the Public Sector: Cases and Materials

Second Edition 1979: Michie Publishing Co. (with H.T. Edwards & R.T. Clark, Jr.)
Third Edition 1985: Michie Publishing Co. (with H.T. Edwards & R.T. Clark, Jr.)
Fourth Edition 1991: Michie Publishing Co. (with H.T. Edwards & R.T. Clark, Jr.)
(with Statutory Appendix and Biennial Cumulative Supplements)

Collective Bargaining and Labor Arbitration: Cases and Materials

Third Edition 1988: Michie Publishing Co. (with D. Rothschild & L. Merrifield)

Human Resources and the Law

Bureau of National Affairs 1994 (with M. Rothstein, E. Schroeder & E. Shoben)

Effective Legal Negotiation and Settlement

First Edition 1986: Michie Publishing Co.
Second Edition 1993: Michie Publishing Co.
Third Edition 1997: Michie Publishing Co.
Fourth Edition 2001: LEXIS Publishing Co.
Fifth Edition 2005: LEXIS Publishing Co.
Sixth Edition 2009: LEXIS Publishing Co.
Seventh Edition 2012: LEXIS Publishing Co.
Eighth Edition 2016: LEXIS Publishing Co.
Ninth Edition 2020: Carolina Academic Press
(With Teacher's Manual)

The Art of Negotiation in the Business World

First Edition LEXIS Publishing Co. 2014
Second Edition 2020 Carolina Academic Press
(With Teacher's Manual)

Legal Negotiating

Thomson/West 2007 (with G. Williams)

Skills & Values: Legal Negotiating

First Edition 2009: LEXIS Publishing Co.
Second Edition 2012: LEXIS Publishing Co.
Third Edition 2016: LEXIS Publishing Co.
Fourth Edition 2020 Carolina Academic Press

Alternative Dispute Resolution: The Advocate's Perspective

First Edition 1997: Michie Publishing Co. (with E. Brunet)
Second Edition 2001: LEXIS Publishing Co. (with E. Brunet)
Third Edition 2006: LEXIS Publishing Co. (with E. Brunet & E. Deason)
Fourth Edition 2011: LEXIS Publishing Co. (with E. Brunet & E. Deason)
Fifth Edition 2016: LEXIS Publishing Co. (with E. Brunet & E. Deason)

Skills & Values: Alternative Dispute Resolution

First Edition 2013: LEXIS Publishing Co. (with J. Garvey)
Second Edition 2021: Carolina Academic Press (with J. Garvey)

The Intelligent Negotiator: What to Say, What to Do, and How to Get What You Want Every Time

2002: Prima/Crown Publishing

El Negociador Inteligente: Que Decir, Que Hacer y Como Lograr Sus Objetivos Siempre

2003: Aguilar Publishing

II. ARTICLES

- “Careful Training Does Eliminate Gender-Based Negotiation Differences,”
20 CARDOZO JOURNAL OF CONFLICT RESOLUTION 583-596 (2019)
- “Do Alternative Dispute Resolution Procedures Disadvantage Women and Minorities?”
70 SOUTHERN METHODIST UNIVERSITY LAW REVIEW 891-912 (2017)
- “Distributive Negotiation Techniques”
THE NEGOTIATOR’S DESK REFERENCE (Honyman & Schneider, eds., 2017)
Vol. 1, pp.75-89
- “Formal Training Does Not Always Eliminate Gender-Based Negotiation Differences,”
18 CARDOZO JOURNAL OF CONFLICT RESOLUTION 1-21 (2016)
- “Classic Negotiation Techniques,”
52 IDAHO LAW REVIEW 425-462 (2016)
- “The Use of Mediation to Resolve Community Disputes,”
48 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 231-262 (2015)
- “How to Conduct Effective Telephone and E-Mail Negotiations,”
17 CARDOZO JOURNAL OF CONFLICT RESOLUTION 1-22 (2015)
- “The Critical Nature of Verbal Leaks and Nonverbal Signals During Bargaining Interactions,”
16 CARDOZO JOURNAL OF CONFLICT RESOLUTION 127-151 (2014)

- “How to Conduct Effective Transnational Negotiations Between Nations, Nongovernmental Organizations, and Business Firms,” [Symposium on New Directions in Global Disp. Res.]
45 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 69-103 (2014)
- “The Impact of Gender on Negotiation Performance,”
14 CARDOZO JOURNAL OF CONFLICT RESOLUTION 339-359 (2013)
- “The Use of Alternative Dispute Resolution Techniques to Resolve Public Sector Bargaining Disputes”
28 OHIO ST. JOURNAL ON DISPUTE RESOLUTION 45-62 (2013)
[Symposium Article]
- “Initiating and Conducting Meaningful Dispute Resolution Procedures,”
31 ALTERNATIVES TO THE HIGH COST OF LITIGATION 99 (2013)
- “Emotional Intelligence and Negotiation Performance,”
<http://ssrn.com/abstract=2259785> (2013)
- “The Benefits to be Derived from Post-Negotiation Assessments,”
14 CARDOZO JOURNAL OF CONFLICT RESOLUTION 1-31 (2012)
- “The Right to Strike and Its Possible Conflict with Other Fundamental Rights of the People in the U.S.”
PROCEEDINGS OF XX WORLD CONGRESS OF INTERNATIONAL SOCIETY
FOR LABOUR AND SOCIAL SECURITY LAW (Sept. 2012)
[U.S. Reporter: Santiago, Chile] THE RIGHT TO STRIKE:
A COMPARATIVE VIEW (Bernard Waas, ed. 2014) Ch. 31
- “The Impact of Labor Unions on Worker Rights and on Other Social Movements,”
26 A.B.A. JOURNAL OF LABOR & EMPLOYMENT LAW 267-278 (2011)
- “The Impact of Negotiator Styles on Bargaining Interactions,”
35 AMERICAN JOURNAL OF TRIAL ADVOCACY 1-17 (2011)
- “The Impact of Psychological Factors on Bargaining Interactions,”
29 ALTERNATIVES TO THE HIGH COST OF LITIGATION 113 (2011)
- “The Inherent Tension Between Value Creation and Value Claiming During Bargaining Interactions,”
12 CARDOZO JOURNAL OF CONFLICT RESOLUTION 1-18 (2010)
- “The National Labor Relations Act at 75: In Need of a Heart Transplant,”
27 HOFSTRA LABOR & EMPLOYMENT LAW JOURNAL 311-356 (2010)
- “Negotiation Ethics for Real World Interactions,”
25 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 299-346 (2010)
- “What Makes a Great Legal Negotiator?”
56 LOYOLA LAW REVIEW 337-358 (2010) [Symposium Article]

- “Sharpening Your Legal Negotiation Skills,”
56 THE PRACTICAL LAWYER 61-64 (April 2010)
- “How to Make the Much-Needed Employee Free Choice Article Politically Acceptable,”
60 LABOR LAW JOURNAL 82-91 (2009)
- “It’s Effective and Somewhat Deceptive: The Competitive/Problem-Solving Style,”
27 ALTERNATIVES TO THE HIGH COST OF LITIGATION 161 (2009)
- “Worker Representation and Social Dialogue at the Workplace Level in the United States,”
PROCEEDINGS OF XIX WORLD CONGRESS OF INTERNATIONAL SOCIETY
FOR LABOUR AND SOCIAL SECURITY LAW (Sept. 2009)
[U.S. Reporter–Sydney, Australia]
- “Privacy Issues Affecting Employers, Employees, and Labor Organizations,”
66 LOUISIANA LAW REVIEW 1057-1077 (2006)
(Employment and Privacy Symposium)
- “The Relevance of the NLRA and Labor Organizations in the Post-Industrial, Global Economy,”
57 LABOR LAW JOURNAL 133-147 (Fall 2006) (Goldstein Labor Law Symposium)
- “The Labor Movement Needs a Twenty-First Century Committee for Industrial Organization,”
23 HOFSTRA LABOR & EMPLOYMENT LAW JOURNAL 69-100 (2005)
- “Continuing to Treat Workers Like Widgets and Digits,” Review Essay of Katherine V.W. Stone,
From Widgets to Digits: Employment Regulation for the Changing Workplace (2004)
7 UNIVERSITY OF PENNSYLVANIA JOURNAL OF LABOR & EMPLOYMENT
LAW 747-760 (2005)
- “If Women Don’t Ask: Implications for Bargaining Encounters, the Equal Pay Act, and Title VII,”
Review Essay of Linda Babcock & Sara Laschever, *Women Don’t Ask* (2003)
102 MICHIGAN LAW REVIEW 1104-1129 (2004)
- “It’s Time for Mandatory Worker Participation,”
21 ALTERNATIVES TO HIGH COST OF LITIGATION 199 (2003)
- “The Negotiation Process,”
27 AMERICAN JOURNAL OF TRIAL ADVOCACY 271-328 (2003)
- “The American Worker: Junior Partner in Success and Senior Partner in Failure,”
37 UNIVERSITY OF SAN FRANCISCO LAW REVIEW 587-625 (2003)
- “The Judicial Disabling of the Employment Discrimination Provisions of the Americans with Disabilities Act,”
18 THE LABOR LAWYER 417-451 (2003)

- “Negotiation Styles: The Impact on Bargaining Transactions,”
DISPUTE RESOLUTION JOURNAL 48-55 (April 2003)
Reprinted in V. Subbulakshmi, *Conflict Resolution Techniques* 106-116
(ICFAI Univ. 2005)
- “Gender and Negotiation Performance,”
4 SOCIOLOGICAL PRACTICE 183-193 (2002)
- “It’s Time for More Administrative Proceedings,”
20 ALTERNATIVES TO HIGH COST OF LITIGATION 109 (2002)
- “Why Negotiation Assumptions About Women May Be Wrong,”
20 ALTERNATIVES TO HIGH COST OF LITIGATION 45 (2002)
- “The Use of Non-Judicial Procedures to Resolve Employment Discrimination Claims,”
11 KANSAS JOURNAL OF LAW & PUBLIC POLICY 141-176 (2001)
- “Race and Negotiation Performance: Does Race Predict Success as a Negotiator?”
8 DISPUTE RESOLUTION MAGAZINE 22-26 (Fall 2001)
- “The Clinton Labor Board: Continuing a Tradition of Moderation and Excellence,”
16 THE LABOR LAWYER 123-150 (2000)
- “The Impact of Student GPAs and a Pass/Fail Option on Clinical Negotiation Course Performance,”
15 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 373-389 (2000)
- “Gender, Risk Taking, and Negotiation Performance” (with D. Barnes),
5 MICHIGAN JOURNAL OF GENDER & LAW 299-352 (1999)
- “Mediation: A Trial Lawyer’s Guide,”
TRIAL 36-45 (June 1999)
- “The Impact of a Pass/Fail Option on Negotiation Course Performance,”
48 JOURNAL OF LEGAL EDUCATION 176-186 (1998)
- “Why Labor Unions Must (and Can) Survive,”
1 UNIVERSITY OF PENNSYLVANIA JOURNAL OF LABOR & EMPLOYMENT
LAW 15-47 (1998)
- “Mandatory Worker Participation Is Required in a Declining Union Environment to Provide Employees with
Meaningful Industrial Democracy,”
66 GEORGE WASHINGTON LAW REVIEW 135-171 (1997)
- “Negotiation Ethics: How to Be Deceptive Without Being Dishonest/How to Be Assertive Without Being
Offensive,” (Symposium on The Lawyer’s Duties and Responsibilities in Dispute Resolution)
38 SOUTH TEXAS LAW REVIEW 713-734 (1997)

“Rearranging Deck Chairs on the Titanic: The Inadequacy of Modest Proposals to Reform Labor Law,” Review Essay of William B. Gould IV, *Agenda for Reform* (1993)
93 MICHIGAN LAW REVIEW 1616-1644 (1995)

“Radical Supreme Court Justices Endeavor the Rewrite the Civil Rights Statutes,”
10 THE LABOR LAWYER 727-759 (1994)

“Promotion and Regulation of Job Opportunities in the United States,”
PROCEEDINGS OF XIV WORLD CONGRESS OF INTERNATIONAL SOCIETY
FOR LABOUR LAW & SOCIAL SECURITY (September 1994) [U.S. Reporter--Seoul, Korea]

“The American Labor Movement in the Year 2000,”
36 BUSINESS HORIZONS, No. 6, 64-69 (Nov.-Dec. 1993)

“The National Labor Relations Act Must Be Revised to Preserve Industrial Democracy,”
34 ARIZONA LAW REVIEW 397-437 (1992)

“Methods of Settling Collective Interest Disputes in the United States,”
PROCEEDINGS OF XIII WORLD CONGRESS OF INTERNATIONAL SOCIETY
FOR LABOUR LAW & SOCIAL SECURITY (September 1991)
[U.S. Reporter--Athens, Greece]

“Labor Arbitration as a Continuation of the Collective Bargaining Process,”
66 CHICAGO-KENT LAW REVIEW 571-629 (1990)

“The Impact of Gender on Clinical Negotiating Achievement,”
6 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 1-18 (1990)

“Implications of the Elimination of Mandatory Retirement for Professors,”
16 JOURNAL OF COLLEGE AND UNIVERSITY LAW 343-372 (1990)

“Compensation Programs and Protections in the United States,”
19 BULLETIN OF COMPARATIVE LABOUR RELATIONS 333-353 (1990)

“Effective Legal Negotiation and Settlement,”
14 COURSE MATERIALS JOURNAL 7-32 (1989)

“The Application of the Age Discrimination in Employment Act to Persons Over Seventy,”
58 GEORGE WASHINGTON LAW REVIEW 52-110 (1989)

“The Declining Status of the National Labor Relations Act,”
PROCEEDINGS OF THE 41ST ANNUAL NEW YORK UNIVERSITY
CONFERENCE ON LABOR 3-1 -- 3-41 (1988)

“The Impact of Financial Crises Upon Collective Bargaining Relationships,”
56 GEORGE WASHINGTON LAW REVIEW 465-508 (1988)

- “Sanctions for Violations or Non-Implementation of Labor Standards in the United States,”
PROCEEDINGS OF XII WORLD CONGRESS OF INTERNATIONAL SOCIETY
FOR LABOUR LAW & SOCIAL SECURITY (September, 1988)
[U.S. Co-Reporter--Madrid]
- “The Regulation of Federal Sector Labor Relations: Overlapping Administrative Responsibilities,”
39 LABOR LAW JOURNAL 387-401 (1988)
- “Frequently Employed Negotiation Techniques,”
4 CORPORATE COUNSEL'S QUARTERLY No. 4, 66-83 (October 1988)
Reprinted in ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES, ch. 8.3 (1989)
- “The Use of Bankruptcy Proceedings to Modify Bargaining Agreement Obligations in the United States,”
50 MODERN LAW REVIEW 855-880 (1987)
- “The 1986-87 Supreme Court Labor and Employment Law Term: The Expanding Focus on Individual Rights
and Preemption,”
3 THE LABOR LAWYER 755-807 (1987)
- “When Parties Can't Settle,”
26 JUDGES' JOURNAL, No. 1, 4-9, 41-43 (Winter 1987)
- “The Impact of New Technologies on Working Conditions and Employment in the United States,”
PROCEEDINGS OF FIRST AMERICAN REGIONAL CONGRESS
ON LABOUR LAW, INTERNATIONAL SOCIETY FOR LABOUR LAW
& SOCIAL SECURITY (March 1987) [U.S. Reporter--Buenos Aires, Argentina]
- “Negotiation as a Distinct Area of Specialization,”
9 AMERICAN JOURNAL OF TRIAL ADVOCACY 377-380 (1986)
Reprinted in ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES, ch. 8.4
(Bus. Laws, Inc. 1989)
- “Clinical Negotiating Achievement as a Function of Traditional Law School Success and as a Predictor of
Future Negotiating Performance,”
1986 MISSOURI JOURNAL OF DISPUTE RESOLUTION 63-71 (1986)
- “Procedures and Structures of Collective Bargaining at the Enterprise and Plant Levels in the United States,”
PROCEEDINGS OF XI WORLD CONGRESS OF INTERNATIONAL SOCIETY
FOR LABOUR LAW & SOCIAL SECURITY (September 1985)
[U.S. Reporter--Caracas]
- “The NLRA at Fifty: From Youthful Exuberance to Middle-Aged Complacency,”
(Proceedings of Industrial Relations Research Assn. 1985 Spring Meeting)
36 LABOR LAW JOURNAL 604-615 (1985)
- “The Current and Future Status of Labor Organizations,”

36 LABOR LAW JOURNAL 210-225 (1985)

“Public Sector Impasse Resolution Procedures,” [Kenneth Piper Memorial Lecture]
60 CHICAGO KENT LAW REVIEW 779-814 (1984)

“The Vitality of the American Labor Movement in the Twenty-First Century,”
1983 UNIVERSITY OF ILLINOIS LAW REVIEW 633-696 (1983)

“The Future of the American Labor Movement,”
17 THE FUTURIST, No. 5, 70-76 (Oct. 1983)
Reprinted in ECONOMIC IMPACT, No. 46, 48-54 (1984)

“The Fundamentals of Effective Legal Negotiations,”
7 COURSE MATERIALS JOURNAL 5-28 (1983)

“Consumer Fraud,”
I *Encyclopedia of Crime and Justice* 238-240 (1983)

“The Judicial Enforcement of Public Sector Grievance Arbitration,”
58 TEXAS LAW REVIEW 329-353 (1980)

“The Judicial Enforcement of Public Sector Interest Arbitration,”
21 BOSTON COLLEGE LAW REVIEW 557-577 (1980)

“The Application of the LMRDA 'Labor Consultant' Reporting Requirements to
Management Attorneys: Benign Neglect Personified,”
73 NORTHWESTERN UNIVERSITY LAW REVIEW 605-640 (1978)
Reprinted in CORPORATE COUNSEL'S ANNUAL--1979, pp. 807-844

“The Use of Lie Detectors and Surreptitious Surveillance in Private Employment,”
PROCEEDINGS OF SYMPOSIUM ON LABOR LAW AND INDUSTRIAL
RELATIONS 55-71 (San Fernando Valley College of Law 1978)

“The Inquisitorial Process in Private Employment,”
63 CORNELL LAW REVIEW 1-64 (1977)

Book Review of Getman, Goldberg & Herman, *Union Representation Elections:
Law and Reality*,
22 VILLANOVA LAW REVIEW 891-900 (1977)

“The Application of Labor and Antitrust Laws to Physician-Unions: The Need for a
Re-evaluation of Traditional Concepts in a Radically Changing Field,”
27 HASTINGS LAW JOURNAL 55-97 (1975)

“The Legal Obligations of Governmental Employers and Labor Organizations Under the
Recognition-Certification Provisions of the Florida Public Employees Relations Act,”

27 UNIVERSITY OF FLORIDA LAW REVIEW 705-728 (1975) (with R. La Peer)

“Minority Action Versus Union Exclusivity: The Need to Harmonize NLRA and Title VII Policies,”
26 HASTINGS LAW JOURNAL 1-56 (1974)

“The *Boeing* Decision: A Blow to Federalism, Individual Rights, and Stare Decisis,”
122 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 556-593 (1974)

Note: “First Amendment Challenges by Federal Employees to the Broad Labor Picketing
Proscription of Executive Order 11491,”
69 MICHIGAN LAW REVIEW 957-977 (1971)

Recent Development: “The Retirement Benefits of Retired Employees Are a Mandatory Subject of Bargaining
Because Retirees Are 'Employees' Under the NLRA and Because Active Employees Have an Interest in Such
Benefits,”
68 MICHIGAN LAW REVIEW 757-773 (1970)

“Bargaining in the Federal Sector,”
19 LABOR LAW JOURNAL 569-589 (1968)

III. ON-LINE PUBLICATIONS

“Impact of Mediator Styles on Bargaining Interactions,”
THE NEGOTIATOR MAGAZINE (May 2015)
<http://www.negotiormagazine.com/article/AR201505308.php>

“Conducting Effective Intra-Group Interactions,”
THE NEGOTIATOR MAGAZINE (Mar. 2015)
<http://www.negotiormagazine.com/article/AR201503229.php>

“Plea Bargaining Negotiations,”
THE NEGOTIATOR MAGAZINE (Feb. 2015)
<http://www.negotiormagazine.com/article/AR201502295.php>

“The Questioning Process During Bargaining Interactions,”
THE NEGOTIATOR MAGAZINE (Nov. 2014)
<http://www.negotiormagazine.com/article/AR201411284.php>

“The Need for Managers to Negotiate Effectively with Their Subordinates,”
THE NEGOTIATOR MAGAZINE (Oct. 2014)
<http://www.negotiormagazine.com/article/AR201410279.php>

“Conducting Negotiations with Own Clients,”
THE NEGOTIATOR MAGAZINE (June 2014)
<http://www.negotiormagazine.com/article/AR201406264.php>

- “Turn Your Electronic Devices Off When You Negotiate in Person,”
THE NEGOTIATOR MAGAZINE (May 2014)
<http://www.negotiormagazine.com/article/AR201405259.php>
- “Multiple Person Negotiating Teams Must Present a United Front,”
THE NEGOTIATOR MAGAZINE (Apr. 2014)
<http://www.negotiormagazine.com/article/AR201404255.php>
- “Patience is a Virtue When People Negotiate,”
THE NEGOTIATOR MAGAZINE (March 2014)
<http://www.negotiormagazine.com/article/AR201403250.php>
- “Rudeness is a Substitute for Bargaining Proficiency,”
THE NEGOTIATOR MAGAZINE (Feb. 2014)
<http://www.negotiormagazine.com/article/AR201402245.php>
- “Using the Tit-For-Tat Approach to Counteract Opponent Nibbling,”
THE NEGOTIATOR MAGAZINE (Nov. 2013)
<http://www.negotiormagazine.com/article/AR201311232.php>
- “How Women Can Effectively Negotiate Improvements in Their Employment Terms,”
THE NEGOTIATOR MAGAZINE (Oct. 2013)
<http://www.negotiormagazine.com/article/AR201310226.php>
- “Initiating Bargaining Interactions,”
THE NEGOTIATOR MAGAZINE (May 2013)
<http://www.negotiormagazine.com/article/AR201305204.php>
- “The Political Nature of Collective Bargaining Interactions,”
THE NEGOTIATOR MAGAZINE (Apr. 2013)
<http://www.negotiormagazine.com/article/AR201304196.php>
- “Haggling with Merchants,”
THE NEGOTIATOR MAGAZINE (Mar. 2013)
<http://www.negotiormagazine.com/article/AR201303190.php>
- Review of James C. Freund, *Anatomy of a Mediation*,
THE NEGOTIATOR MAGAZINE (Mar. 2013)
<http://www.negotiormagazine.com/articles/AR201303194.php>
- “Put Yourself in the Shoes of Your Opponents,”
THE NEGOTIATOR MAGAZINE (Dec. 2012)
<http://www.negotiormagazine.com/article/AR201212179.php>
- “Don’t Rush the Negotiation Process,”
THE NEGOTIATOR MAGAZINE (Aug. 2012)

<http://www.negotiator magazine.com/article/AR201208158.php>

“The Importance of the Preliminary Stage of Negotiation Interactions,”
THE NEGOTIATOR MAGAZINE (Feb. 2012)
<http://www.negotiator magazine.com/article/AR201202134.php>

“The Importance of Post-Negotiation Evaluations,”
THE NEGOTIATOR MAGAZINE (Nov. 2011)
<http://www.negotiator magazine.com/article/AR201111124.php>

“The Impact of Psychological Factors on Negotiation Interactions,”
THE NEGOTIATOR MAGAZINE (Aug. 2011)
<http://www.negotiator magazine.com/article/AR201108112.php>

“The Impact of Culture on Transnational Interactions,”
THE NEGOTIATOR MAGAZINE (May 2011)
<http://www.negotiator magazine.com/article/AR201105101.php>

“The Power of an Apology,”
THE NEGOTIATOR MAGAZINE (Aug. 2007)
http://www.negotiator magazine.com/article389_1.html

“Conducting Electronic Negotiations,”
THE NEGOTIATOR MAGAZINE (June 2007)
http://www.negotiator magazine.com/article379_1.html

“Nonverbal Signals and Negotiating Interactions,”
THE NEGOTIATOR MAGAZINE (Apr. 2007)
http://www.negotiator magazine.com/article368_1.html

“Classic Negotiation Techniques,”
THE NEGOTIATOR MAGAZINE (Feb. 2007)
http://www.negotiator magazine.com/article356_1.html

“Maintain Your Negotiation Skills,”
THE NEGOTIATOR MAGAZINE (May 2006)
http://www.negotiator magazine.com/article322_1.html

“The Appearance of Fairness,”
THE NEGOTIATOR MAGAZINE (March 2006)
http://www.negotiator magazine.com/article311_1.html

“Negotiation Ethics,”
THE NEGOTIATOR MAGAZINE (Nov. 2005)
http://www.negotiator magazine.com/article301_1.html

“The NLRA at Seventy: Rapidly Approaching Irrelevance,”

PERSPECTIVES ON WORK ONLINE

<http://www.lera.uiuc.edu/Pubs/Perspectives/onlinecompanion/Fall05-craver.html>

(Fall 2005)

“Aspirations, Anchoring, and Negotiation Results,”

THE NEGOTIATOR MAGAZINE (Oct. 2005)

http://www.negotiormagazine.com/article291_1.html

“Negotiating Employment Opportunities,”

THE NEGOTIATOR MAGAZINE (Sept. 2005)

http://www.negotiormagazine.com/article285_1.html

“Collective Bargaining Interactions,”

THE NEGOTIATOR MAGAZINE (April 2005)

http://www.negotiormagazine.com/article263_1.html

“Everything You Need to Know to be a Great Negotiator You Learned Before Kindergarten,”

THE NEGOTIATOR MAGAZINE (Feb. 2005)

http://www.negotiormagazine.com/article248_1.html

“The Impact of Gender on Bargaining Interactions,”

THE NEGOTIATOR MAGAZINE (July 2004)

http://www.negotiormagazine.com/article204_1.html

“The Negotiation Process,”

THE NEGOTIATOR MAGAZINE (May 2004)

http://www.negotiormagazine.com/article191_1.html

“Impact of Negotiator Styles on Bargaining Interactions,”

THE NEGOTIATOR MAGAZINE (Mar. 2004)

<http://www.negotiormagazine.com/cgi-bin/article.pl?file=article1278page=1>

IV. PROFESSIONAL EDUCATION MATERIALS

Negotiations and Bargaining

Presenter for Eduson.tv MOOC

Negotiations and Bargaining

Editor & Presenter for Henry Stewart Talks Series

Effective Legal Negotiation and Settlement,

(147 pp. booklet published by the American Law Institute, Revised Edition 2012)

Alternative Dispute Resolution Procedures,

(128 pp. booklet published by the Maryland Instit. on Prof. Educ. of Lawyers, 2000)

PROFESSIONAL PRESENTATIONS

- Presentations on “Negotiator Styles and Negotiation Stages,” “Negotiation Ethics,” and “Gender and Negotiation Performance” as Scholar-in-Residence at joint conference of ABA Sections on Dispute Resolution and Labor & Employment Law, San Diego (Feb. 2019)
- Presentation on “Negotiator Styles and Negotiation Stages” for 2018 Lawrence Lecture on Dispute Resolution at Ohio State University Law School (Sept. 2018)
- Presentation on “Gender and Negotiation,” 18th Annual Women and the Law Conference, Thomas Jefferson School of Law, San Diego (Feb. 2018)
- Presentation on “Negotiation Ethics,” A.B.A. Section of Dispute Resolution Annual Conference, San Francisco (April 2017)
- Presentation on “Do Alternative Dispute Resolution Procedures Disadvantage Women and Minorities,” at S.M.U. Law Review Symposium in Dallas (Feb. 2017)
- Presentation on “Negotiator Styles and the Negotiation Process,” Pennsylvania Business Association Annual Conference, Philadelphia (Nov. 2016)
- Presentation on “Effective Legal Negotiation,” Lex Mundi International Conference Washington, D.C. (Sept. 2016)
- Presentation on “Supreme Court Labor and Employment Decisions 2014-2015 Term,” Upper Midwest Labor & Employment Law Conference, St. Paul (May 2015)
- Presentation on “Supreme Court Labor and Employment Decisions 2013-2014 Term,” Upper Midwest Labor & Employment Law Conference, St. Paul (May 2014)
- Presentation on “Ethics of Negotiation and Bargaining,” Pacific Coast Labor & Employment Law Conference, Seattle (May 2014)
- Presentation on “How to Conduct Effective Transnational Negotiations,” Washington University Conference on New Directions in Global Negotiation and Dispute Resolution (Nov. 2013)
- Presentation on “Effective Legal Negotiation,” University of Alabama Birmingham, AL (Dec. 2012)
- Presentation on “Negotiation and Mediation Ethics,” CPR Institute Annual Program on ADR New York, NY (Jan. 2012)

Presentation on “New Developments in Title VII Law” at Upper Midwest Employment Law Institute, Minneapolis, MN (May 2011)

Presentation on “What Makes a Great Legal Negotiator” at Case Western Reserve University School of Law as Center for Interdisciplinary Study of Conflict and Dispute Resolution Distinguished Scholar in Residence Lecture (April 2011)

Presentation on “The Impact of Labor Unions on Worker Rights and on Other Social Movements,” George Washington University Conference on the NLRA at Seventy-Five (Oct. 2010) (Member of Conference Planning Committee)

Presentation on “United States Labor Relations and Employment Discrimination Law,” Meridian House, Washington, D.C. (U.S. State Dept. Program) (Sept. 2010)

Presentation on “What Makes a Great Legal Negotiator” at Getting to Yes Symposium, Loyola University Law School, New Orleans (March 2010) [Keynote Presentation]

Presentation on Teaching Negotiation Ethics at Association of American Law Schools Annual Meeting New Orleans, LA (January 2010)

Presentation on Proposed Employee Free Choice Act to Labor & Employment Relations Association Washington, D.C. (October 2009)

Presentation on Negotiation Skills at 46th Annual Midwest Labor & Employment Law Seminar Columbus, OH (October 2009)

Presentations on Transnational Negotiations to Two International Groups with Lex Mundi Monterey, CA (July 2009)

Presentation on the Teaching of Transnational Negotiation Skills at Global Skills Conference IV Washington, D.C. (June 2009)

Presentation on Negotiation Ethics at Harvard Negotiation and Leadership Conference 2009 Cambridge, MA (April 2009)

Presentation on Employer Reactions to the Changing American Workforce: Lifestyle Behaviors and Relationships at 13th Annual Georgetown Law Center Corporate Counsel Institute Washington, D.C. (March 2009)

Presentation on Legal Negotiating Before Lex Mundi International Legal Group Istanbul, Turkey (September 2008)

Presentation on the Past, Present, and Future of Labor and Employment Law, Twenty-Fifth Carl Warns Lecture, University of Louisville (May 2008)

- Presentation on Decisions of the Bush Labor Board, Section on Labor & Employment Law Washington, D.C. (January 2008)
- Presentation on Current State of Sexual Harassment Law, Upper Mid-West Annual Conference on Labor & Employment Law, Minneapolis, MN (May 2006)
- Presentation on Personal Traits that Influence Negotiator Performance, University of Arizona College of Law, Tucson, AZ (Oct. 2005)
- Presentation on United States Labor and Employment Law, Meridian International Center, Washington, D.C. (August 2005)
- Presentation on Negotiating Business Deals, Centre for Transnational Law, University of Cologne, Cologne, Germany (June 2005)
- Presentation on Works Councils and Co-Determination – Will They Survive, International Society for Labor & Social Security Law Conference on Comparative & International Labor and Employment Law, Chicago (May 2005)
- Presentation on Negotiation of Marital Dissolutions, American Academy of Matrimonial Attorneys, Columbia, MD (Nov. 2004)
- Presentation on The Negotiation Process, Warns Labor and Employment Law Institute, University of Louisville School of Law, Louisville (June 2004)
- Presentation on Negotiation Strategies in Mediation, Pennsylvania Bar Institute Labor Conference, Philadelphia (April 2004)
- Presentation on The Negotiation Process at Leadership Institute, Natl. Conf. of State Legislatures & State Govt. Affairs Council, Coeur D’Alene (Oct. 2003)
- Presentation on The Negotiation Process at Conference of Alternative Dispute Resolution Section of the Texas Bar, Dallas (April 2003)
- Presentation on The American Worker: Junior Partner in Success and Senior Partner in Failure, University of San Francisco Law School Employment Law Symposium (March 2003)
- Presentation on Ethical Issues in Labor & Employment Law Practice, Pennsylvania Bar Institute Labor Conference, Philadelphia (April 2002)
- Presentation on Ethical Issues in Labor & Employment Law Practice, Georgetown University Law School Conference, Washington, D.C. (April 2002)
- Presentation on the Negotiation Process at Family Law Conference, Woodbridge, N.J. (April 2002)
- Presentation on the Negotiation Process, N.L.R.B. Lawyer Conference, San Diego (August 2001)

- Presentation on Proof Constructs in Employment Discrimination Cases, Upper Mid-West Annual Conference on Labor & Employment Law, Minneapolis, Mn. (May 2001)
- Presentation on The Role of the NLRB in the Twenty-First Century, Program Sponsored by University of Maryland and NLRB, Washington, D.C. (April 2001)
- Presentation on Ethical Issues in Labor & Employment Practice, Pennsylvania Bar Labor & Employment Law Conference, Philadelphia, Pa. (April 2001)
- Presentation on Incorporating Social Science Research into ADR Teaching, ABA Section of Dispute Resolution Program on The Power of ADR, Washington, D.C. (April 2001)
- Presentation on Impact of Gender on Negotiation Interactions, CPR Institute Annual Program on ADR, New York, New York (January 2001)
- Presentation on Ethical Issues in Collective Bargaining, A.B.A. Section on Labor & Empl. Law Conference on Labor Law in the Year 2000 and Beyond, Washington, D.C. (June 2000)
- Panel Discussion on Current Issues in Labor Law, Pacific Coast Labor Law Conference, Seattle, WA (May 2000)
- Moderator & Speaker for N.L.R.B. Panel on The Role of the N.L.R.A. in the Twenty-First Century at Industrial Relations Research Assn. National Policy Forum, Washington, DC (June 1999)
- Presentation on The State of Sexual Harassment Law After *Ellerth* and *Faragher* at Upper Midwest Empl. Law Institute, Labor & Empl. Law Section of MN Bar, Minneapolis, MN (May 1999)
- Planning Committee Chair and Presenter for A.A.L.S. Workshop on Work, Working and the Law in the Twenty-First Century, New Orleans, LA (January 1999)
- Panel Discussion on Recent Decisions Pertaining to Sexual Harassment at Upper Midwest Empl. Law Institute, Labor & Empl. Law Section of Minnesota Bar, Minneapolis, MN (May 1998)
- Presentation on Dispute Resolution Procedures at Upper Midwest Employment Law Institute, Labor & Empl. Law Section of Minnesota Bar, Minneapolis, MN (May 1997)
- Presentation on Ethical Issues Pertaining to Judicial and Nonjudicial Settlement Negotiations at Midwinter Meeting of ABA Tort & Insurance Practice Section, Boca Raton, FL (Jan. 1997)
- Presentation on Taking the NLRB into the Twenty-First Century at Labor Law Conference, NLRB & Section on Labor & Empl. Law of Maryland Bar, Baltimore, MD (October 1996)
- Presentation on Government Mandated Worker Participation Programs at Benjamin Aaron Lecture, U.C.L.A. and Labor & Empl. Law Section of Los Angeles Bar (May 1996)

- Presentation on Dispute Resolution Procedures at Upper Midwest Employment Law Institute, Labor & Empl. Law Section of Minnesota Bar, Minneapolis, MN (May 1996)
- Presentation on Effective Settlement Negotiations at Conference on Employment Law, ABA Section on Labour & Empl. Law, Ixtapa, Mexico (March 1996)
- Presentation on the Clinton Labor Board at Conference on Sixtieth Anniversary of the NLRA, Cornell University School of Industrial and Labor Relations, Washington, DC (Oct. 1995)
- Presentation on the Regulation of Employer-Employee Relations After the Demise of Labor Unions, Pacific Coast Labor Law Conference, Seattle, WA (June 1995)
- Presentation on the Future of Cooperative Labor-Management Programs at Thirty-First Annual Midwest Labor Law Conference, Columbus, OH (November 1994)
- Presentation on the Future Vitality of Labor Organizations at Ninth Annual Stetson Conference on Labor and Employment Law, Clearwater Beach, FL (January 1994)
- Fact Finding/Mediation Visit to South Africa Concerning Multi-Party Negotiations Designed to Achieve Ethnically Inclusive South African Government, Sponsored by Southern African Forum (Nov. 1993)
- Presentation on the Negotiation Process and Case Evaluation, A.B.A. Section of Tort & Insurance Practice, New York, NY (August 1993)
- Presentation on the Future of Labor-Management Relations, Association of Labor Relations Agencies, Portland, OR (July 1993)
- Presentation on the Evaluation and Settlement of Civil Rights Cases, Labor & Empl. Law Section of Minnesota Bar, Minneapolis, MN (February 1993)
- Presentation on the Negotiation Process and Negotiating Techniques, A.B.A. Section of Litigation, San Francisco, CA (August 1992)
- Presentation on the Scope of the 1991 Civil Rights Act, Ninth Annual Employment Law Institute, Labor & Empl. Law Section of Minnesota Bar, Minneapolis, MN (May 1992)
- Presenter for A.A.L.S. Workshop on Labor and Employment Law, Washington, DC (April 1992)
- U.S. Reporter Concerning the Settlement of Collective Interest Disputes, XIII World Congress of the Int'l. Society for Labour Law and Soc. Sec., Athens, Greece (September 1991)
- Presentation on the Future of American Labor Organizations, A.B.A. Labor & Employment Law Section, Chicago, IL (August 1990)
- Presentation on the Ethics of Alternative Dispute Resolution Techniques, Labor & Employment Law Section of Minnesota Bar, Minneapolis, MN (April 1990)

Presentation on the Ethics of Alternative Dispute Resolution Techniques Labor & Employment Law Section of Georgia Bar, Atlanta, GA (December 1989)

Presentation on The Ethics of Alternative Dispute Resolution Procedures, A.B.A. Labor & Employment Law Section, Honolulu, HA (August 1989)

Presenter for A.A.L.S. Workshop on Alternative Dispute Resolution, Washington, DC (July 1989)

Presentation on the Remedies Applicable to Workplace Privacy Invasions, Remedies Section of A.A.L.S., New Orleans, LA (January 1989)

Member of Foreign Service Institute Committee to Study the United States Negotiating Style in International Transactions, Washington, DC (1987-1989)

Presentation on the Application of the Age Discrimination in Employment Act, CCH Labor & Employment Law Symposium, Washington, DC (November 1988)

Scholar-in-Residence at Syracuse University School of Law (September 1988) Presentations on Legal Negotiating and Age Discrimination in Employment

U.S. Co-Reporter on Sanctions for Non-Implementation of Labor Standards, XII World Congress of the Int'l Society for Labor Law & Soc. Sec., Madrid, Spain (September 1988)

Presentation on Labor Trends in Collective Bargaining and Job Security, A.B.A. Labor & Employment Law Section, Toronto, Canada (August 1988)

Presentation on The Declining Status of the National Labor Relations Act, 41st Annual N.Y.U. Conference on Labor, New York, NY (June 1988)

Presentation on Federal Sector Dispute Resolution Procedures, University of San Diego Symposium on Federal Sector Labor Law, San Diego, CA (February 1988)

Presentation on The Impact of Financial Crises on Bargaining Relationships, Annual Meeting of Labor & Empl. Law Section of Georgia Bar, Atlanta, GA (December 1987)

Presentation on 1986-87 Supreme Court Labor & Employment Law Decisions, A.B.A. Labor & Employment Law Section, San Francisco, CA (August 1987)

Presentation on Negotiation and Mediation, Pacific Coast Labor Law Conference, Seattle, WA (May 1987)

U.S. Reporter Concerning the Impact of New Technology on American Employment, First American Reg. Congress of Int'l. Society for Labour Law & Soc. Sec., Buenos Aires, Argentina (March 1987)

U.S. Reporter Concerning the Structure of American Collective Bargaining, XI World Congress of the Int'l. Society for Labour Law & Soc. Sec., Caracas, Venezuela (September 1985)

Presentation on the Fiftieth Anniversary of the NLRA, Indus. Rels. Research Ass'n. Spring Meeting, Detroit, MI (April 1985)

Presentation on the Current and Future Status of Labor Organizations, Labor Law Group Conference, Park City, UT (June 1984)

Presentation on Dispute Resolution Procedures (Negotiation, Mediation, and Arbitration), University of Peking, China (June 1984)

Public Sector Dispute Resolution Procedures at Kenneth M. Piper Memorial Lecture, Chicago-Kent College of Law, Chicago, IL (April 1984)

Numerous Continuing Legal Education Presentations Throughout United States on Effective Legal Negotiation, Judicial Mediation, and Alternative Dispute Resolution Procedures