

President Obama Announces Presidential Emergency Board, Names Members

WASHINGTON – Today, President Barack Obama signed an Executive Order creating a second Presidential Emergency Board to help resolve an ongoing dispute between the Long Island Rail Road Company and some of its employees.

The Presidential Emergency Board will provide a structure that allows the two sides to attempt to resolve their disagreements. In the 60 days following its establishment, the Presidential Emergency Board will obtain final offers for settlement of the dispute from each side, and then produce a report to the President that selects the offer that the Board finds to be the most reasonable. The Board's report is not binding, but the party whose offer is not selected would be prohibited by law from receiving certain benefits if a work stoppage subsequently occurs.

President Obama also announced that he intends to appoint the following members to Presidential Emergency Board No. 245:

- **Joshua M. Javits** – Appointee for Chair, Presidential Emergency Board No. 245
- **Elizabeth C. Wesman** – Appointee for Member, Presidential Emergency Board No. 245
- **M. David Vaughn** – Appointee for Member, Presidential Emergency Board No. 245

President Obama said, "I appreciate that these dedicated individuals have agreed to devote their talent and years of experience working on labor-management disputes to help reach a swift and smooth resolution of this issue."

Joshua M. Javits, Appointee for Chair, Presidential Emergency Board No. 245

Joshua M. Javits is a self-employed mediator and arbitrator for labor-management, pension, commercial, contract, and a variety of other disputes. He served on Presidential Emergency Boards in 2007 and in 2009. From 1993 to 2001, Mr. Javits was a Partner at Ford & Harrison LLP, where he also served as Executive Director of the Labor Relations Association of Passenger Railroads. He was appointed as Chairman and Member of the National Mediation Board (NMB) from 1988 to 1993, where he was responsible for administering the Railway Labor Act governing labor relations in the airline and railroad industries. Mr. Javits was a Labor-Management Arbitrator of record in more than 100 cases between 1985 and 1988 serving on numerous arbitration panels, including the AAA, Federal Mediation and Conciliation Service, and NMB. From 1983 to 1985, he was an attorney with Mulholland & Hickey, where he represented labor organizations. He served with the National Labor Relations Board from 1978 to 1983 as a trial attorney engaged in enforcing federal labor laws. From 1990 to 2002, Mr. Javits was an Adjunct Professor at the Georgetown University Law Center where he taught courses in labor arbitration, transportation labor law, and alternative dispute resolution in employment and labor law. Mr. Javits received a B.A. from Yale College and a J.D. from Georgetown University Law Center.

Dr. Elizabeth C. Wesman, Appointee for Member, Presidential Emergency Board No. 245

Dr. Elizabeth C. Wesman has been a full-time labor and employment arbitrator since 2000 and has practiced arbitration/mediation since 1981. She has arbitrated disputes in a wide array of industries, including railroads, aerospace, police and fire departments, and public and private universities. Dr. Wesman was previously Associate Professor of Strategy and Human Resources/Industrial Relations at Syracuse University from 1981 to 2000. She was also an Adjunct Professor at the Rochester, New York, Extension Division of Cornell University from 1990 to 2000. She was a lecturer in the Department of Human Resource Studies at the New York State School of Industrial and Labor Relations at Cornell

University from 1980 to 1981 and before that, an Instructor in the Department of Economics at Le Moyne College from 1970 to 1975. Dr. Wesman is on the arbitration rosters of the American Arbitration Association, the Federal Mediation and Conciliation Service, and the National Mediation Board and has been on a number of permanent panels, including the New York State/Public Employees Federation Panel, the Oregon Employment Relations Board, and the Washington State Public Employment Relations Commission. She is currently serving as President of the National Association of Railroad Referees. She received an A.B. from Smith College, an M.A. from Northwestern University, and a Ph.D. from the New York State School of Industrial and Labor Relations at Cornell University.

M. David Vaughn, Appointee for Member, Presidential Emergency Board No. 245

M. David Vaughn has been a full-time neutral arbitrator and mediator specializing in labor and employment disputes since 1984. He has served on three previous railroad industry Presidential Emergency Boards. Mr. Vaughn has been handling railroad cases since 1984 and has issued hundreds of awards. His current Public Law Board appointments include Burlington Northern and Santa Fe (BNSF) and United Transportation Union (UTU), CSX and the Brotherhood of Locomotive Engineers – Teamsters (BLET), and BNSF and Brotherhood of Maintenance of Way Employees - Teamsters (BMWET). He holds numerous umpireships and panel appointments, including Railway Labor Act panels with United Continental and Air Line Pilots Association, USAir and Association of Flight Attendants, and UPSA and Teamsters. From 1983 to 1999, he taught a number of subjects as an Adjunct Professor at Georgetown University Law Center, including labor arbitration as well as railroad and airline industry labor law and relations. Before that, he was an attorney at Skadden Arps from 1981 to 1983, specializing in labor and employment law. He served as General Counsel of the Federal Mediation and Conciliation Service from 1979 to 1981, having previously served as Associate General Counsel from 1977 to 1979. He began his career as an attorney in private practice, specializing in labor and employment law. Mr. Vaughn is a Member of the National Academy of Arbitrators and former Member of its Board of Governors, a Fellow of the College of Labor and Employment Lawyers, and a founding Member and Past President of the National Association of Railroad Referees. Mr. Vaughn received a B.A. from the University of Michigan and a J.D. from the University of Michigan Law School.