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December 27, 2023

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Surface Transportation Board
c/o Director Mai T. Dinh
Office of Proceedings
395 E. Street, S.W.
Washington, DC 20424-0001

Re: Arbitrator Application for Surface Transportation Board –
Docket No. EP 730 (Sub-No. 1):
Application of Arbitrator Bradley A. Areheart

Dear Chairman Oberman, Director Dinh, and Members of the Board:

I am writing to seek reappointment to the Surface Transportation Board's Roster of Arbitrators per docket no. EP 730 (sub-no. 1), dated December 19, 2023.

As a tenured law professor, I teach all of the labor and employment courses at the University of Tennessee College of Law, including Labor Law, Disability Law, Employment Law, and Employment Discrimination. As a part of my Labor Law course, students learn about the Railway Labor Act. I also teach Contracts each year and am well-versed in all principles surrounding contract construction and interpretation. I regularly publish and speak on both arbitration and labor relations and am a co-author on a leading labor law textbook with West Academic.

Prior to teaching, I worked for five years in litigation with several international law firms and handled a wide variety of disputes, including government contracts, government relations, and cases in the aviation and railway industries. The work in government contracts, in particular, afforded me a unique perspective on economic regulation and publicly-subsidized industries.

I have served in approximately 100 consumer, commercial, employment, railway, and labor arbitrations. I am a member of the Foreign Service Grievance Board, the American Arbitration Association (consumer, commercial, employment, and labor panels), and the Federal Mediation and Conciliation Service's roster. I am also on several permanent panels, including USAF/AFGE; USDA/AFGE, Cincinnati Public Schools/IUOE, and Consolidated Nuclear Facility/AFL-CIO.



BRAD AREHEART

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<https://law.utk.edu/directory/brad-areheart/>

My current fee for arbitration-related services is \$350 per hour. I am available for in-person hearings, and am also adept at conducting arbitrations remotely.

Thank you for considering my application. I have enclosed my CV for your review. Please do not hesitate to call or email me if you require additional information. I would be honored to serve as a member of the Surface Transportation Board's arbitrator roster.

Sincerely,

A handwritten signature in black ink, appearing to read "Bradley A. Areheart", with a stylized flourish at the end.

Bradley A. Areheart
Arbitrator, Professor of Law



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Bradley A. Areheart

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arbitration experience

Permanent Panels:

- U.S. Air Force (Robins AFB) and American Federation of Government Employees, 2022-
- Foreign Service Grievance Board, 2023-
- USDA, Food Safety and Inspection Service (FSIS) and the National Joint Council of Food Inspection Locals, AFGE, 2023-
- International Union of Operating Engineers and Cincinnati Public Schools, 2023-
- Consolidated Nuclear Security and the Atomic Trades and Labor Council, AFL-CIO, 2023-

National Rosters:

CPR Panel of Distinguished Neutrals (commercial, trademark, insurance, employment, and banking panels), 2023-
Federal Mediation and Conciliation Service, 2022-
American Arbitration Association (commercial, consumer employment, and labor panels), 2019-
Surface Transportation Board, 2022-
National Mediation Board, 2023-
Council for Higher Education Accreditation, 2022-

2022- **Court Arbitration Rosters:** U.S. District Court, Eastern District of Tennessee; U.S. District Court, Western District of Texas

Published Labor Awards:

2023 Firestone Building Prods. Co., 2023 BNA LA 117 (2023)
Firestone Building Prods. Co., 2023 BNA LA 118 (2023)

Published Consumer Awards:

2021-22 2022 WL 1031605; 2022 WL 2129970; 2022 WL 4367702; 2021 WL 8825002

Selected Publications & Speaking (from last 2 years)

Faculty/Speaker, *Is that Really What the Contract Says? Presenting Contract Interpretation Grievances*, American Arbitration Association (Oct. 2023)

LABOR LAW: COLLECTIVE BARGAINING IN A FREE SOCIETY (with Dennis Nolan, Richard A. Bales, and Rafael Gely) (8th ed. West Academic) (forthcoming 2024)

TENNESSEE EMPLOYMENT LAW (Lexis/Matthew Bender & Co.) (forthcoming 2024)

Arbitral Subpoenas, in U.S. ARBITRATION LAW AT THE FEDERAL ARBITRATION ACT'S CENTENARY: SUCCESSES, FAILURES, AND A ROADMAP FOR REFORM (Jill Gross & Rick Bales eds., Cambridge University Press, forthcoming 2024)

Panelist, *Labor & Employment Arbitration*, Arbitration Symposium at University of Tennessee College of Law (Sept. 2023)

Panelist, *Cutting Edge Issues in Labor Arbitration*, Tennessee Labor Management Conference (Sept. 2023)

Speaker, *Introduction to the NLRA*, Tennessee Labor Management Conference (Sept. 2023)

Speaker, *Labor Law Update*, Georgia Labor Management Conference (June 2023)

Panelist, *Your First Year as a Labor Arbitrator*, LERA Annual Conference (June 2023)

Panelist, *Arbitration Topics Discussion*, Tennessee Labor Management Conference (Sept. 2022)

Editorial Board Member, *INTEREST ARBITRATION* (Miller, Vannoy, and Scott 3d ed., LRIS Books, 2022)

Moderator, *Best Papers: Discrimination*, Labor Employment Relations Association (LERA) Annual Conference (June 4, 2022)

arbitration training

- 2023 **NAA:** Airline Arbitration Training (4 hours)
2023 **NARR:** Railroad Arbitration Training (8 hours)
2023 **NCDS:** National Center for Dispute Settlement Arbitrator Training (2 days)
2023 **CHEA:** Council for Higher Education Accreditation Arbitrator Training
AAA: Arbitration Fundamentals and Best Practices for New AAA Arbitrators (2 days); ACE23 Panelist Safety and Security; Awarding Attorney Fees, Costs and Post-Award Interest in Arbitrations; Employment Arbitrator Updates; Awarding Attorney Fees, Costs and Post-Award Interest in Arbitrations; ACE22: Process Essentials for AAA Arbitrators; ACE21 Impartiality: Do You Know Where Your Biases Are?; The American Arbitration Association's Adoption of Initial Employment and FLSA Discovery Protocols; ACE20 Cyber Security: A Shared Responsibility; AAA Arbitration Awards—Safeguarding, Deciding and Writing Awards
2019–
2021 **FMCS:** Becoming a Labor Arbitrator (5 days); Arbitrating in the Federal Sector (2 days)
FINRA: Dispute Resolution: Basic Arbitrator Training Program (6 hours); Chairperson Training Program (6 hours); Expungement Training; Dispute Resolution: Your Duty to Disclose; Understanding the Prehearing Stage
2021–

teaching experience

Over a decade teaching as a law professor. Teaches Contracts, Labor Law, Employment Law, Employment Discrimination, and Disability Law.

University of Tennessee College of Law

- 2020–
2016–20
2012–16
Professor of Law
Associate Professor of Law (with tenure)
Associate Professor of Law
Courses taught: business associations • contracts • disability law • employment discrimination
employment law • labor law

UT Haslam College of Business

- 2016–
Courses taught: Employment Law for HR Professionals; modules on contracts and labor/employment law in several executive MBA programs.

Stetson University College of Law

- 2010–12
Bruce R. Jacob Visiting Assistant Professor
Courses taught: contracts • disability law • health law • intellectual property

publications & honors

- 2007–
Have written extensively on labor and employment law. Have also written about alternative dispute resolution. Have been published in the most competitive law reviews, including the top-ranked Yale Law Journal. Research has been cited by attorneys (in court briefs), scholars, and most recently, in a decision by the U.S. Court of Appeals for the Third Circuit. Have won several awards for writing and was named the top cited scholar for UT College of Law in 2019, the only year such an award was given. A full list of publications and/or honors is available upon request.

education

- 2005 JD with honors, **University of Texas School of Law**
Texas Law Review
2001 BA cum laude, **Baylor University**
Major in Philosophy

professional experience

Worked as litigation associate in law firms representing clients in various types of business disputes. Work

included breach of contract, breach of fiduciary duty, fraud, ERISA, employment, and intellectual property claims. Also handled commercial disputes involving government contracts, as well as bid protests with the federal government.

2008–10 **DLA Piper**, Associate, Austin, TX

2006–08 **Jenner & Block**, Associate, Dallas, TX

2005–06 **Naman, Howell, Smith & Lee**, Associate, Waco, TX

2001–02 **Lake Air Middle School**, English Teacher and Athletic Coach, Waco, TX

bar membership

2005 Texas