



MELINDA GORDON
AAA® Labor Arbitrator
Tarrytown, NY

Q: When did you first take an interest in alternative dispute resolution and what prompted such interest?

A: I have nearly thirty years of experience in labor-management relations in both the private and public sector. As an attorney involved in collective bargaining and litigation, I frequently found myself utilizing alternative dispute resolution skills to settle issues. Arbitrators, mediators and adversaries encouraged me to use these skills in building a career in ADR.

Q: What past professional and/or personal experiences have you had that have contributed to your growth as an arbitrator?

A: I believe my experience in labor-management relations makes me sensitive to the pressures that both sides of the table are facing when involved in arbitration and mediation. As a negotiator and a litigator I developed good listening and analytical skills to help guide my clients in decision making, similar to the skills that are needed in arbitration and mediation.

Q: Did you participate in a mentoring program and, if so, what benefits did you derive from being mentored?

A: As an American Arbitration Association® Higginbotham Fellow I was assigned Carol Wittenberg as a mentor. Ms. Wittenberg provided excellent advice on the initial steps I needed to take to become an arbitrator. In addition, because I had been an advocate in labor relations for so long, I was able to craft a mentoring relationship with various arbitrators such as Richard Adelman, Howard Edelman, Susan Mackenzie, and Elliott Shriftman, all of whom have provided me with outstanding guidance and feedback in developing my skills as an arbitrator and mediator. Martin Scheinman has also provided me with invaluable assistance.

Q: How do you manage an arbitration case?

A: In many respects, I think arbitration is self-determined by the parties in the sense that every arbitration and every party is unique. In some arbitrations, the parties are seeking that the arbitrator make evidentiary rulings and run a tightly controlled hearing. In other arbitrations, the parties are seeking for the arbitrator to provide practical solutions to ensure that the hearing proceeds smoothly and that deference be given to the long-term relationship of the parties. A lot depends on the parties and how they want the process to be shaped.



Q: What advice would you give new arbitrators starting off and breaking into the profession?

A: Be persistent in following-up with people who are acting as your mentors. Try to go to hearings with different arbitrators to observe individual styles of dispute resolution.

Q: What do you foresee for the future of ADR—say, in the next 10 years?

A: I see ADR being used more frequently as litigation costs continue to rise. Organizations like AAA® have done a great job in educating the public as to what ADR is and how it can benefit participants in the process. Increasingly, I meet people who are attracted to ADR not only because of economic reasons, but also to avoid the damage to one's lifestyle and emotional well-being that long term litigation can engender. ADR can provide a quicker and less upsetting route to resolve differences, and I think the public is becoming more knowledgeable regarding those benefits.