



**RICHARD D. WILLIAMS**  
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**Q: When did you first take an interest in alternate dispute resolution and what prompted such interest?**

A: My interest in alternate dispute resolution is a natural outgrowth of my experience as a civil litigator. Early in my career, I litigated a wide range of civil cases in both judicial and extra judicial forums. My cases ranged from negligence/commercial to employment and labor. Very often, the cases I handled were concluded efficiently without a trial through alternate resolution processes such as negotiation and mediation. Even when the parties could not come to a resolution among themselves, arbitration provided a quicker and less costly alternative to a judicial trial. Like the judicial process, the nonjudicial process is also aimed at basic fundamental fairness for all those involved. It was, more often than not, in my client's best interest to use and explore all the alternate dispute resolution avenues rather than use the costly and time-consuming judicial process. When my practice area became focused primarily on employment and labor matters, most of the applicable labor agreements required the use of binding arbitration to resolve disputes and mediation to resolve disagreements.

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

A: For approximately twenty-five years, my primary job was to handle and supervise the handling of labor and employment disputes between management and represented employees. I have participated in countless interactions with labor arbitrators, labor counsel, labor representatives and management representatives where the goal was to resolve disputes. My experience has enhanced my base of knowledge, my sensitivity to the roles and concerns of the stakeholders and my understanding of how ADR can help move any particular matter to resolution. Being exposed to and working with labor arbitrators over the years has helped me to develop my own style as a neutral. Having assessed numerous arbitrators for personality, temperament, professionalism, honesty, integrity, biases, experiences, knowledge and commitment to fairness has helped me develop and grow as an arbitrator. I stand committed to the basic mission of every arbitrator, to fulfill the obligations entrusted by the parties.

**Q: How do you manage an arbitration case?**

A: First, I get a full understanding of my authority including any limitations. I speak with the parties' representatives to get an understanding of the dispute, an understanding of any pre-hearing issues and then try to narrow/define and frame the issues needed to be resolved as succinctly as possible. Working with the parties, I establish a plan for the taking of evidence and the matter proceeds



to hearing and the development of a record. Fundamental fairness is a constant goal in my management of arbitration. To the extent practicable, the proceeding belongs to the parties and my role is to ensure that all parties have an evenhanded hearing.

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

A: Since everyone has travelled a different pathway into the profession, the most relevant advice would have to be individually tailored. Generally however, an arbitrator needs to be knowledgeable about the subject matter of the arbitration. The arbitrator must be able to “speak the language” of the parties. Remember, it is not the arbitrator’s but the parties’ process, and that the arbitrator has a limited role. I would advise new arbitrators to speak with other arbitrators, join associations and take continuing education courses to enhance their value. Additionally, while the phrase “...the cream rises to the top...” usually applies to competent service providers, in this field, you have to actively market yourself to let parties know you are seeking opportunities to serve.

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

A: I think, as a general matter courts will be encouraging the use of ADR with greater frequency prior to trial. I think technology will also be utilized to increase the efficiency and economy of the process and to increase its availability to individuals. In the labor and employment context, ADR will prove an increasingly valuable tool to resolve workplace disputes across a wider spectrum of issues.