



## AAA® Labor Documents Only Procedures

In any case, regardless of the issues or claim size involved, the parties may agree to waive in-person hearings and resolve the dispute through submission of documents utilizing these *AAA Labor Documents Only Procedures (Procedures)*. This is a simple process for the resolution of grievances where a face-to-face hearing is not necessary. The goal of these Procedures is to provide a fast, easy and economical means to resolve labor disputes.

### D-1. Applicability

- (a) In any case, regardless of the issues or claim size, the parties may agree to waive in-person hearings and resolve the dispute through submission of documents to one arbitrator. Such agreement should be confirmed in writing no later than the deadline for the filing of an answer.
- (b) If both parties seek to use the Procedures after the appointment of an arbitrator, the arbitrator must also consent to the process.
- (c) When parties agree to these Procedures, the procedures shall supplement other portions of the Labor Arbitration Rules, which are not in conflict with these Procedures.

### D-2. Appointment from National Roster

If the parties have not appointed an arbitrator and have not provided any other method of appointment, the arbitrator shall be appointed in the following manner: immediately after the filing of the demand or submission, the AAA shall submit simultaneously to each party an identical list of five (5) names of persons chosen from the National Roster of Labor Arbitrators. The Parties are encouraged to agree to an arbitrator from the submitted list and to advise the AAA of their agreement. If the parties are unable to agree upon an arbitrator, each party shall have 10 days from the transmittal date in which to strike a maximum of two (2) names objected to, number the remaining names to indicate the order of preference, and return the list to the AAA.

If a party does not return the list within the time specified, all persons named therein shall be deemed acceptable.

From among the persons who have been approved on both lists, and in accordance with the designated order of mutual preference, the AAA shall invite the acceptance of an arbitrator to serve. If the parties fail to agree upon any of the persons named, or if acceptable arbitrators are unable to act, or if for any other reason the appointment cannot be made from the submitted lists, the AAA shall have the power to make the appointment from among other members of the National Roster without the submission of any additional list.



### D-3. Preliminary Management Hearing

Preliminary Management Hearing via conference call, video conference, or internet is available upon the agreement of the parties or at the discretion of the arbitrator. The purpose of this hearing is for the arbitrator to establish a procedure for the submission of documents. There is no additional fee for a Preliminary Management Hearing.

### D-4. Submission of Evidence

The arbitrator determines the timeframe for the submission of written evidence. The written submissions may include a Stipulation of Facts, Position Statements, Affidavits, Written Exhibits, and any other arguments of the parties. There will be no live-witnesses testimony. The arbitrator may receive and consider the evidence of witnesses by declaration or affidavit, and shall give it such weight as the arbitrator deems it entitled to after consideration of any objection made to its admission.

### D-5. Limited Virtual Hearing/Telephonic Conference

A Limited Virtual Hearing/Telephonic Conference via conference call, video conference, or internet is available upon agreement of the parties or at the discretion of the arbitrator. The purpose of this hearing is to allow the parties an opportunity to present verbal opening statements, verbal closing statements or to address any other issues approved by the arbitrator.

### D-6. Time of Award

- (a) The arbitrator shall establish the date for final written submissions. Such date shall operate to close the hearing, and the time for the rendering of the award shall commence on that day as well.
- (b) The arbitrator shall render the award within 14 days from the date the hearing is closed.
- (c) The award is subject to all other provisions of these Rules that pertain to awards.

### D-7. Form of Award

The award shall be in writing and shall be signed by the arbitrator. If the arbitrator determines that an opinion is necessary, it shall be in summary form.

### D-8. Administrative Fees

- (a) For matters initiated under these Procures, the initial administrative fee is \$150 for each party, due and payable at the time of filing. No refund of the initial fee is made when a matter is withdrawn or settled after the filing of the demand for arbitration or submission.
- (b) There are no additional fees to use the AAA's Labor Documents Only Procedures on pending cases.



## D-9. Arbitrator Compensation

- (a) For matters where the parties agree to utilize these Procedures prior to Arbitrator appointment, the Arbitrator is compensated a flat fee of \$500.00 for each party.
- (b) For matters where the parties agree to utilize these Procedures after an Arbitrator has been appointed, the Arbitrator will continue to be compensated in accordance with the fee structure disclosed in the arbitrator's biographical profile.



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AAA275