

PROFESSIONAL HISTORY

Clark Legal Solutions PC: Conflict Management, Prevention and Resolution Services

David P. Clark, Principal, 2001-Present

Full-time private practice offering a portfolio of services designed to manage, prevent, and resolve workplace problems for public and private organizations and associations, including the following:

- **Administrative Judge and Hearing Examiner:** Contractor with the U.S. Equal Employment Opportunity Commission (2010-Present) and District of Columbia Office of Human Rights (2005-2009), presiding over and adjudicating claims of discrimination filed by employees and applicants for employment with the EEOC and the District of Columbia government. Duties include deciding pre-hearing motions, managing hearings, and rendering decisions based upon testimony, pleadings, and other record evidence. Subject matter expertise includes discrimination based on race, gender, religion, age, national origin, sexual orientation, and disability.
- **Arbitration:** Member of arbitration panels of the American Arbitration Association, Federal Mediation and Conciliation Service, and Financial Industry Regulatory Authority. Areas of expertise are employment discrimination, labor-management relations, compliance with workplace regulations, and commercial contracts. Clients include federal, state, and local government agencies and their associated labor unions; private corporations and their associated labor unions, clients, and employees. Mr. Clark has been selected by the parties, presided over hearings, and issued binding written decisions in over 80 arbitration matters.
- **Facilitation and Mediation:** Serves as an impartial, neutral, problem-solving facilitator for a wide variety of interpersonal and organizational issues, in both informal and formal settings. In this capacity, Mr. Clark's clients include Fortune 500 companies, public and private sector labor unions, federal and local government agencies, and other organizations. Areas of expertise are facilitated dialogue, interest-based bargaining, employment discrimination, collective bargaining, compliance with ethics rules and other personnel matters. Mr. Clark has served as facilitator or mediator in over 500 cases.
- **Conflict Management, Systems Design and Training:** From 2005 to present, Mr. Clark has been associated with ADR Vantage, Inc., a management consulting firm based in Washington, D.C., which focuses on organizational change, leadership development, and strategic planning. There, Mr. Clark has served as a facilitator, mediator, trainer, and Alternative Dispute Resolution Manager, for such clients as United Parcel Service, Federal Deposit Insurance Corporation, U.S. Department of Homeland Security, and U.S. Department of Agriculture. Mr. Clark has been in charge of recruiting, developing and managing ADR Vantage's national roster of conflict management professionals and assigning work to neutral contractors across the country. Mr. Clark consults with clients' management to ensure appropriate intervention of neutrals and consistency of service with organizational goals.

Adjunct Professor of Law, American University Washington College of Law, Washington, D.C.

Dates Employed: January 2006-Present

Title of Law Course: "Lawyer Bargaining." Introduce law students to ADR systems and functions.

Lecture on the Interest Based Bargaining ("IBB") approach to negotiation outlined in the seminal text, "Getting to Yes." Train law students in IBB as well as traditional distributive bargaining techniques and practices. Additionally, train students to understand mediation as one of several approaches to negotiation, and provide training in legal advocacy within the mediation process.

Attorney and ADR Manager, Federal Labor Relations Authority (FLRA), Washington, D.C.

Dates Employed: 1998-2001

Adviser to presidentially-appointed Member of federal agency charged with appellate review of legal cases involving the federal government and its employees. Cases concerned, among other things, collective bargaining, administrative law and regulations, civil rights, and sovereign immunity. Mediated settlements of lawsuits prior to litigation. Drafted appellate decisions, presented oral arguments, and made recommendations to presidential appointees. From 2000 to 2001, managed FLRA's Collaboration and Alternative Dispute Resolution Office. Developed and implemented program for mediating and facilitating settlement of lawsuits; designed and led conflict resolution training.

Education:

Washington College of Law, American University, Washington, D.C.

Juris Doctor, 1997

School of International Service, American University, Washington, D.C.

Master of Arts, International Law and Organizations, 1997

Specialization: Conflict Resolution

University of Richmond, Richmond, Virginia

Bachelor of Arts, Double Major, Philosophy and English Literature. *Cum Laude*, 1992

Bar Memberships and Certification:

Law	Member, Bar Associations of New York, New Jersey, and the District of Columbia
Mediator	Supreme Court of Commonwealth of Virginia

Representative Arbitration Cases on Appeal:

Mayeske v. Dep't of the Navy, No. 2011-3167 (Fed. Cir. April 17, 2012)

<http://www.caafc.uscourts.gov/images/stories/opinions-orders/11-3167.pdf>

U.S. Dep't of Labor, Bureau of Labor Statistics v. AFGE, Local 12, 65 FLRA 651 (2011)

<http://flra.gov/decisions/v65/65-140.html>