

## **Top 10 List - Arbitration Mistakes**

10. Choose any old arbitrator—they are all the same anyway.
9. Wait until the week before to think about settlement—what's the rush?
8. Don't try to figure out what the Employer's theory of the case is—I'll learn it at hearing, right?
7. Don't prepare any exhibits for hearing—the grievant will just testify, right?
6. Don't actually practice the grievant's testimony or prepare the grievant for cross examination—after all, we talked about what hearing would be like.
5. Don't prepare a statement of the issue (contract cases)—the arbitrator will just figure it out at the end.
4. Don't worry about arbitrability—we got this far, didn't we?
3. Don't object to any employer exhibits—the arbitrator won't care about them anyway.
2. Ask lots of questions you don't know the answer to—this is as good a time to find the answers as any.
1. Try and get the Employer's witnesses to just agree that they are biased against the grievant—they are, so they will just tell the truth.