

Linda M. Mealey-Lohmann, Esq

Mealey-Lohmann Mediation & Arbitration Services

Labor and Employment Law and Commercial Mediator & Arbitrator

Rule 114 Qualified Neutral

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Experience/Training

- Rule 114 Qualified Neutral- listed on the Minnesota Supreme Court Roster of Neutrals (since 2004)
- My mediation and arbitration practice focuses primarily on resolving labor and workplace conflict and employment law matters, as well as commercial disputes.
- Contract mediator for the EEOC resolving employment discrimination, sex harassment, and FMLA claims (since 2004)
- Contract Mediator for the US Postal Service's REDRESS Transformative Mediation program resolving workplace disputes involving union members (since 2007)
- Frequent volunteer for the Minnesota Department of Human Rights (since 2004), the Washington County Conciliation Court (since 2004), the Ramsey County Conciliation Court through the Dispute Resolution Center (since 2004), the St. Paul Better Business Bureau (since 2008), and the Minneapolis Department of Civil Rights (since 2008).
- Adjunct Professor at William Mitchell College of Law for two ADR courses: Rule 114 ADR certification course (since 2006) and the Advanced Mediation Skills Externship course (since 2007)
- As of fall 2009, I have mediated approximately 250 matters, including employment matters, commercial matters, debt collection, landlord/tenant, business breach of contract, etc.
- Prior experience as a labor and employment law litigator (O'Melveny & Myers, Los Angeles and then Dorsey & Whitney, Minneapolis)
- Completed more than 150 hours of mediation training since January 2004

Mediation Approach

- I am trained as both a facilitative and transformative mediator, and have studied the Evaluative and Understanding-Based approaches. As a result, I am able to tailor my approach to the needs of the parties and the dispute and draw on a wide-range of mediator techniques to support the parties in their decision-making.
- My Mediation approach is to work with the parties to open up the lines of communication, to help parties understand their own and the other party's perspective on what lead to the current situation and how it might be resolved, to help the parties understand their own needs and interests, and to help parties look for creative ways to resolve the dispute that meet the parties' needs better than litigation.
- In those cases where parties feel that the law should be the controlling standard in resolving the dispute, I help parties to understand how each other views the law and possible legal outcomes, but also support the parties in moving beyond that to create solutions that respond to their individual personal and business needs and goals.

Familiarity and Experience with State and Federal Labor and Employment Laws

- Previous Labor and employment litigator counseling and representing both employers and employees in litigation of federal and state discrimination claims (ADA, ADEA, Title VII, FMLA, EPA, Civil Rights Act, and MHRA), as well as sexual harassment and employment-related contract and tort claims
- Regularly attend MN CLE annual Upper Midwest Labor & Employment Law Institute (since 1996)
- Regularly read published opinions involving state and federal employment and discrimination claims

Other Factors Relevant to Ability to Mediate Employment Disputes

- My fluency in the Chinese language (Mandarin) and my familiarity with Chinese culture has given me a sensitivity to cultural differences and an ability to deal effectively with people of varying ethnic backgrounds, all of which has been helpful in my mediation work

Professional Affiliations and Awards

- Recipient of the Alumni of Notable Achievement award, College of Liberal Arts, University of Minnesota (2010)
- Recipient of the Martin Blum Community Mediation award, Dispute Resolution Center, St. Paul, Minnesota (2008)
- Member of the American Bar Association and the ABA Dispute Resolution Section
- Member of the Minnesota State Bar Association and ADR
- Member of Executive Council of ADR Section of the Minnesota State Bar Association (2005 to present) and Vice Chair of the MSBA's Commercial and Employment ADR Committee and past Chair of former Mediation Committee (2007 to present)
- Member of MSBA's Governing Council of Labor and Employment Law Section (June 2007 to present)
- Member of Minnesota ADR Workgroup (June 2006 to 2008)
- Past Member of Conflict Resolution Minnesota (CRM)
- Member of the California State Bar Association (Inactive Status)
- Vice President and Secretary, US-China Peoples Friendship Association - Minnesota Chapter (USCPFA-MN)
- Managing and Founding Director, The Minnesota China Friendship Garden Society

Education

- Qualified Arbitrator (MSBA Certified Civil Arbitrator Skills Training, 6.75 hours, December 2007; Labor Law Arbitration training 2008)
- Qualified Mediator (30-hour training at Hamline University School of Law, Dispute Resolution Institute, January 2004) (by Professors Lela Love and Joseph Stulberg)
- US Postal Service's REDRESS Transformative Mediation training (2007)
- J.D. University of Minnesota, cum laude (1990)
- M.A. University of Minnesota (Chinese Language and Literature)
- B.A. University of Minnesota (East Asian Studies)

Presentations

- ▶ "An Advocate's Guide to Successfully Mediating Discrimination Claims with the Four Public Agencies" MN CLE Webcast (April 2010)
- ▶ "One Size Doesn't Fit All - Strategies and Ethical Issues in the Selection and Use of Four Mediation Approaches," with Nina Meierding, for MN CLE Webcast (January 2010)
- ▶ "Mediating Discrimination Claims with the Public Agencies," 26th Annual Human Rights Conference (December 2009)
- ▶ Presenter/Moderator for "Representing Clients in Employment Law Mediations, The Mediator's Perspective," ADR Section of MSBA (2009)
- ▶ "Mediation and Arbitration as Alternatives to Litigation," to Association of Minnesota Chinese Physicians (January 2009)
- ▶ Presenter for "Improving Your Employment Mediation Skills," MSBA 9th Annual ADR Institute (October 2006)
- ▶ "Chinese Language: Business Basics," Governor Pawlenty's China Business Development Mission Briefing (October 2005)
- ▶ Moderator for "Demystifying Employment Law Mediations" and "Mediators' Roundtable: Tips and Techniques for Resolving Employment Law Cases," MN CLE Upper Midwest Employment Law Institute (June 2005)

Publications

- ▶ Co-author of "Mediation in China," powerpoint materials for MSBA ADR Section CLE, December 2009
- ▶ Co-author of "Pocket's of Innovation in Minnesota's Alternative Dispute Resolution Journey," 33 Wm. Mitchell L. Rev. 441 (2006)
- ▶ "Improving your Employment Mediation Skills," for MSBA 9th Annual ADR Institute, October 2006
- ▶ "China Friendship Gardens in Minnesota" and "Minnesota's Longstanding Connection with China" in US-China Review, Vol. XXX, No. 1, Winter 2006
- ▶ Co-author of "Demystifying Employment Law Mediations," for MSBA Upper Midwest Employment Law Institute, June 2005
- ▶ Co-author of "Tips and Techniques for Resolving Employment Law Cases," for MSBA Upper Midwest Employment Law Institute, June 2005
- ▶ Co-author of "Who Gets What Data When?" in Bench & Bar of Minnesota, April 2003
- ▶ Dorsey & Whitney's 2000 Employment Law Handbook - North Dakota Edition, 2000 Employee Handbook Audit Manual; Revised Dorsey & Whitney's 1999 and 2002 Employment Law Handbook - Minneapolis Edition
- ▶ "English-Only Rules and 'Innocent' Employers: Clarifying National Origin Discrimination and Disparate Impact Theory Under Title VII," 74 Minn. L. Rev. 398 (1989)

References

1. Ruby Simelton-Jones, EEOC-Mediation Unit, 330 South Second Street, Suite 430, Minneapolis, MN 612-334-4005
2. Nancy Howe, EEO ADR Specialist, US Postal Service, 651-293-3375
3. Bill Funari, former Administrator for Washington County Conciliation Court, 651-491-6833