

**MICHAEL G. WHELAN, ESQ.**  
**Educator/Arbitrator/Mediator**  
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104 Southwoods Drive  
Ithaca, NY 14850  
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South Florida Address:  
5016 S.W. 87<sup>th</sup> Ave.  
Cooper City, FL 33328  
(305) 490-0329

**EDUCATION**

State University of New York at Buffalo, J.D., 1986  
Cornell University, M.I.L.R. (Industrial and Labor Relations), 1979  
State University of New York College at Brockport, B.S., *summa cum laude*, 1977  
State University of New York at Buffalo (Liberal Arts, 1973-74)

**EDITORIAL POSITIONS**

Buffalo Law Review, Head Note and Comment Editor, 1985-86  
Buffalo Law Review, Associate Member, 1984-85

**DISPUTE RESOLUTION PANEL MEMBERSHIPS**

American Arbitration Association Roster of Neutrals (Employment Panel)  
American Arbitration Association Labor Panel  
New York Public Employment Relations Board Private Sector Grievance Arbitration Panel  
New York Public Employment Relations Board Mediation Panel  
New York Public Employment Relations Board Fact-Finding Panel  
Federal Mediation and Conciliation Service Roster of Arbitrators  
Florida Public Employees Relations Commission Special Magistrate Roster  
Roster of Neutrals of FINRA Dispute Resolution

**REPORTED OPINIONS AND DECISIONS**

*Asset Protection and Security Services and SEIU Local 200, United*, 10-1 ARB ¶ 4964 (CCH 2010).  
*School Board of Martin County vs. AFSCME Local 597, Council 79*, Case No. SM10046, perc.myflorida.com (2010).  
*City of Cocoa vs. Laborers' International Union of North America, Public Employees' Local 678, AFL-CIO*, Case No. SM10015, perc.myflorida.com (2010).  
*School Board of Gilchrist County vs. Gilchrist Employees United*, Case No. SM10019, perc.myflorida.com (2010) .  
*City of Oakland Park and Metro Broward Professional Firefighters, Local 3080*, Case No. SM11050, perc.myflorida.com (2011) .

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**COURSES TAUGHT**

Oral Advocacy in Arbitration and the Courts  
Communication at the Bargaining Table: Conflict Resolution Theory, Law and Practice  
Courtrooms and Communication  
Public Communication  
Interpersonal Communication  
Introduction to Statistics (Laboratory)

**SELECTED PUBLICATIONS**

Whelan, M. G., *Monitoring of Employee Telephone Calls under Federal and Florida Law*, 69 THE FLORIDA BAR JOURNAL 28-30 (1995).  
Whelan, M. G., *Unsuccessful Employee Arbitrants Bring Wrongful Discharge Claims in State Court: The Accommodation of Public and Private Adjudication*, 35 BUFFALO L. REV. 295-322 (1986).

**SELECTED PRESENTATIONS AND PAPERS**

Whelan, M.G., *Practical and Employment Law Aspects of Business Communication*. Presentation to National Association of Black Accountants – Ithaca Chapter, October 2008  
Whelan, M. G., *Freedom of Speech, the Right to Privacy and Related Issues*. Presentation at Labor Relations Information Services Seminar, Las Vegas, Nevada, April 2007.  
Whelan, M. G. and Cohen, R. J., *Significant Legal Decisions of 2005*. Paper and presentation at Florida Public Employer Labor Relations Association Annual Conference, Orlando, Florida, January 2006.  
Whelan, M. G., *Discipline and Discharge of Represented and Management Employees: What type of Process is "Due?"* Presentation at Florida Public Employer Labor Relations Association, Orlando, Florida, January 2003.  
Whelan, M. G., *Hot Topics in Employment Law*. Presentation at Florida Association of Police Attorneys, Inc. Seminar. Fort Lauderdale, Florida, November 2002.  
Whelan, M. G., *Processing a Contract Interpretation Grievance*. Presentation at Florida Public Personnel Association Annual Conference, Orlando, Florida, July 2002.  
Whelan, M. G., *Latest Legal Developments in Human Resource Issues*. American Association of Port Authorities, Boston, Massachusetts, May 2002.  
Whelan, M. G., *What Speech is Protected by the First Amendment?* Paper and presentation at Florida Public Personnel Association Annual Conference, Ponte Vedra, Florida, July 2001.  
Whelan, M. G., *The Standards for Just Cause for Discipline*. Paper and presentation at Labor Relations Information Services Seminar, Fort Lauderdale, Florida, April 2001.

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Whelan, M. G., *Legal Overview of the Florida Public Employees Relation Act*. Presentation at the Florida Public Personnel Association Annual Conference, Fort Lauderdale, Florida, August 2000.

Whelan, M. G., *The Nuts and Bolts of Public Sector Bargaining*. Paper and presentation at Labor Relations Information Services Seminar, Las Vegas, Nevada, November 1999.

Whelan, M. G., *Employment At Will In Florida*. Paper and presentation to Lorman Educational Centers Seminar, Ft. Lauderdale, Florida, September 1998.

Whelan, M. G., *FLSA Update*. Presentation at the Florida Public Personnel Association Annual Conference, Key West, Florida, July 1998.

**WORK HISTORY**

Assistant Professor, Ithaca College, Ithaca, New York, 2007 to present

Shareholder, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., Miami, Florida, 2004-06

Shareholder, Whelan, DeMaio & Kiszkiel, P.A., Miami, Florida, 1994-2003

Associate Attorney, Morgan, Lewis & Bockius, Miami, Florida, 1986-94

Summer Law Clerk, Mershon, Sawyer, Dunwody, Johnston & Cole, Miami, Florida, 1985

Part-Time Law Clerk, Flaherty, Cohen, Grande, Randazzo & Doren, Buffalo, New York, 1985

Summer Law Clerk, Ontario County Attorney's Office, Canandaigua, New York, 1984

Division Personnel Administrator, Moog Incorporated, East Aurora, New York, 1981-83

Labor Relations Manager, Arcata Corporation, Depew, New York, 1980-81

Labor Relations Representative, Ford Motor Company, Cleveland, Ohio, 1979-80

**CERTIFICATIONS**

Law Florida 1986

Teaching (English & Speech) New York 1979

**PROFESSIONAL ORGANIZATION MEMBERSHIPS**

The Florida Bar

American Arbitration Association

The Labor and Employment Relations Association of Rochester