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Protocol for Remote Hearings

I have a Zoom Pro Level license, and am available to conduct remote arbitration hearings.

This Protocol for Remote Hearings explains the use of Zoom for conducting a remote hearing. Once such a hearing is agreed upon, the arbitrator will issue precise instructions tailored to the specific case.

Cost: There is no added cost to the parties or to anyone participating in the hearing. Participants do not need to register with Zoom or to have a Zoom license.

Hardware: Use a PC, Mac, Linux, iOS, or Android. It is best to use a desktop, laptop, or tablet that has a webcam, and to have a DSL or good Wi-Fi connection. You can also use a smartphone or a voice-only telephone.

Initiating the hearing: The arbitrator will email a link to click in order to enter the hearing, along with a password. This will go to each person who will be attending the hearing – the advocates, each person on each side's team, and the witnesses.

When the hearing begins, each participant will be able to view all other participants, except for any participant using a voice-only telephone.

Physical locations: Participants can be anywhere: all together in one place, in separate places for the employer and union, each person in a separate place, or any combination of these.

Security: Participants will receive a password which should not be shared with others. Zoom meetings are encrypted. If the parties agree to have the arbitrator record the hearing, the recording will be saved on the arbitrator's local computer.

Private breakout rooms: The arbitrator will create a set of private breakout rooms – at least one for the Employer and one for the Union. During breaks, the arbitrator can assign each participant to a private breakout room where only those individuals can see each other and speak to each other.

Witnesses: If desired, each witness can be sequestered by having the arbitrator place each witness in a separate breakout room, and the arbitrator can bring the witness into the hearing when needed. The arbitrator will prepare special instructions for the witnesses.

Exhibits: Parties should agree on a method for submitting and exchanging exhibits, such as using a set of joint exhibits and emailing them to the arbitrator prior to the hearing. If a new exhibit needs to be introduced during the hearing, Zoom allows participants to transmit computer files to the other participants.

Recording: Parties should agree on whether or not the arbitrator will record the hearing. Any recording will be saved on the arbitrator's local computer (rather than in the cloud).

Pre-hearing practice: The arbitrator recommends that the parties participate in a complimentary practice session a week or two before the scheduled hearing to make sure everyone is familiar with the Zoom features.