

REMOTE HEARING PROTOCOLS AND GUIDELINES

Joseph T. Moriarty, Arbitrator

The following protocols and guidelines will be reviewed at a prehearing conference held approximately 10 days before the hearing.

1. **Host:** The Arbitrator will host and initiate a remote hearing via the Zoom Platform. Absent a court reporter or another agreement, the Arbitrator will act as host.
2. **Email addresses:** The parties shall provide the arbitrator with email addresses for all participants at least five (5) days before the hearing.
3. **Documents/Potential Exhibits:** The parties will provide to the arbitrator and all other parties electronic and paper copies of the following documents at least 5 days before the hearing:
 - a. All joint exhibits including the collective bargaining agreement and any side letters.
 - b. Union exhibits.
 - c. Employer exhibits.
 - d. Statement of the Issue.
 - e. Stipulations.
 - f. Any written motions.
 - g. Witness lists and all witnesses' electronic mail addresses and telephone numbers.
 - h. Opening statements (if there is no court reporter)
4. **Communication during the hearing.** The Arbitrator will set up a group text messaging including advocates for both parties to use during the hearing for any issues that may arise such as loss of internet at a location.
5. **Start time:** The hearing will be scheduled for a date and time certain. If a court reporter participates, s/he should sign in 15 minutes earlier so s/he and the arbitrator can discuss exhibits and other hearing logistics. Participants may be signed in when the court reporter and arbitrator do this, as would occur during an in-person hearing.

6. **Hearing issues:** Note any sequestration or subpoena issues will be discussed at the pre-hearing conference.

7. **Conduct during the hearing:**
 - a. All persons speaking during the hearing as an advocate or as a witness must be on camera on a device connected to Zoom.
 - b. No one is to participate in the hearing off-camera.
 - c. Only the court report and the arbitrator may record the hearing; recordings will not be shared.
 - d. Participants may not share screens.
 - e. The host will disable the chat feature.
 - f. Participants/computers will be identified by name and role based on who is present, that is, I will be “Joseph Moriarty, Arbitrator,” the court reporter will be identified by name and role, the advocates and witnesses will be identified by name and role (e.g. “John Smith, Union Advocate”), etc. If there are multiple persons at a single computer the location it will be identified (e.g. “Employer name”) and witnesses will be identified orally as they testify.
 - g. Audio and video will be on for all participants during the hearing unless instructed otherwise by the arbitrator. If a group of participants are in one room they should use a table mic and turn the audio off on their computers/devices.
 - h. Sidebars and caucuses will be conducted via telephone or by separate Zoom rooms as set up by the court reporter or the arbitrator
 - i. All participants will ascertain before the hearing that adequate internet speed is available and ensure good lighting for the speaker.
 - j. All participants must have the view set to Gallery view during the hearing.

8. **Oral Argument/Authorities.** Any party that elects to present an oral argument must provide the arbitrator with an electronic copy of any authorities relied on in that argument within five days of the end of the hearing.