

Marlin O. Osthus
Arbitrator

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LABOR RELATIONS EXPERIENCE

Arbitrator since mid-2017. On arbitration roster at FMCS. I have heard and decided numerous grievances in the private and public sector, including discipline/discharge, work assignment issues, contract interpretation, as well as interest arbitration matters. With regard to interest arbitration, I issued a decision in 2025 resolving eight contract issues between the SEIU and Mayo St. Mary's Hospital. Employment prior to 2017 was with the National Labor Relations Board. As Regional Director from 2008 - 2017, I decided whether probable cause existed that employers or unions violated the National Labor Relations Act, including discharge/discipline of employees, unit work assignment and unilateral change allegations, and whether a party engaged in bad faith bargaining. I also wrote and issued numerous decisions each year regarding the appropriateness of collective bargaining units, employee classifications for inclusion in units, and other representation issues.

PROFESSIONAL ORGANIZATIONS

Fellow, College of Labor and Employment Lawyers.
Panel Member, CLE Programs related to arbitration issues, 2017 and 2022.

EDUCATION B.A. St. Olaf College, J.D. Northwestern University

FEES AND EXPENSES

\$1000 for each day of hearing (which is defined as any portion of a day up to 8 hours), and for each day for travel, research and drafting of the opinion and award. If travel, research or drafting includes a day of less than eight hours, the daily fee is prorated. Cancellation fee is \$1000 if a scheduled hearing is cancelled with less than 21 calendar days' notice.

Actual cost of expenses is charged, including airfare, car rental, food, lodging and parking, photocopying, shredding and mailing costs. No mileage charge for cases heard within seven-county metropolitan area.

I have conducted arbitration hearings using Zoom. I do require that the one of the parties coordinates and deals with any technical issues related to the use of Zoom.

December 3, 2025