



# **TRANSPORTATION ARBITRATION BOARD, INC.**

**99 West 52<sup>nd</sup> Street Bayonne, NJ 07002**

## **TRANSPORTATION ARBITRATION BOARD, INC. GENERAL INFORMATION**

### **Background**

TAB was established in 1975 and is jointly sponsored by the Transportation & Logistics Council and the Transportation Loss Prevention & Security Association. It intended to provide a means to swiftly, fairly and inexpensively resolve freight claims, billing and similar disputes between shippers and carriers.

### **Structure**

TAB is governed by a board of directors with an equal number of carrier and shipper/receiver representatives. An Administrator, appointed by the Board of Directors, conducts the affairs of TAB according to the Board's policies and directives.

### **Fees**

Minimal fees for each party, for each case arbitrated have been set to cover the operating expenses of the Corporation. The current fee is \$250.00 for each party. A Modified Procedure option is available for claims under \$500.00. There is a fee of \$125.00 per party, per claim, for this option. The officers and directors of the corporation serve without compensation and the volunteer arbitrators receive only a token fee to cover incidental expenses.

### **Arbitrators**

The arbitrators are drawn equally from shipper and carrier ranks. Each sponsoring organization provides names of proposed arbitrators to the Administrator who then makes recommendations to the Board for review and appointment. Active arbitrators are reviewed and appointed at the annual meetings of the Board. Arbitrators must be certified by the Certified Claims Professional Accreditation Council (CCPAC)

### **Eligibility and Procedure**

Whenever a shipper and a carrier agree that their differences should be settled by a third unbiased and impartial party, they merely execute the legally binding TAB Arbitration Agreement. This agreement and the fee from each of the parties are sent to the TAB Administrator. The Administrator acknowledges the receipt of the agreement and fees and assigns a case number.

The claimant puts together its claim file, including the evidence to support its case, prepares a short brief setting forth its position on the claim and serves it on the other party. The other party then replies with its evidence and brief and serves it on the claimant, who has a final opportunity for a rebuttal brief.

Upon receipt of the files, the Administrator examines the file to verify compliance with TAB procedures, and then selects a team of arbitrators to consider the case. One carrier arbitrator and one shipper arbitrator is selected. The two arbitrators examine the file, confer with each other and agree upon a unanimous decision. The Administrator sends copies of the decision to each party and the decision has same force as a court decision.

In the event the arbitrators cannot reach a unanimous decision, they advise the Administrator, who will then select a second arbitrator team and follow the same procedure. If the second team is also unable to reach a unanimous decision the Administrator will advise both parties that a decision cannot be reached by TAB and the only recourse left to them must be private compromise or litigation in a court of law.

### **Appeal Procedure**

An appeals procedure on the basis of error is also available and an additional fee of \$500. The decision of the Appeals Arbitration team is final and will have the same force as a court decision.

### **For Further Information Contact:**

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