

THE CAUCUS

The F.M.C.S. Retiree Newsletter

By Friends of FMCS History Foundation

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Fall 2014

Retirees Reunion in Florida

There will be another reunion next spring. The dates are April 28, 29 and 30. Reunion attendance costs \$90. per person. Hotel reservations have been made for 25 rooms @ \$118.95 (plus tax--last year's rate) If **John Popular's** house has not been sold, the reception will be there as usual on April 28th with bus transportation provided.

Those of us who have attended in the past feel great appreciation to **John** and **Dick** for their hard work in arranging this event for many years. If you've attended before, I hope to see you again. If you haven't attended, come and enjoy sunny Florida and seeing old friends. There are certainly many things to do on that part of the Gulf Coast near Tampa: shopping, golfing, sightseeing, and watching spring baseball training.

Big News

On September 18, 2014, the White House announced the President's intention to nominate **Allison Beck** as the next Director of FMCS. The following day the President appointed Ms. Beck Acting Director of FMCS. She is the first woman to hold the position.

Ms. Beck joined FMCS in 2010 as Deputy Director with responsibility for National and International Programs. She has held a number of important positions supporting collective bargaining with the IAM, NLRB, and as a Senate Aid. She has a JD from Catholic University. When confirmed as Director, she will be the first woman to head FMCS in its 67 year history.

With this change, Scot Beckenbaugh returned to his position as Deputy Director.

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Other Happenings in the National Office

Acting Director **Scot Beckenbaugh** announced on June 12, 2014 the appointment of **Will Shields** as Budget Director of FMCS. Will joined FMCS in 2006 as a management analyst. He has been in efforts to more tightly integrate the budgeting, strategic planning, continuity of operations, IT-security, and employee performance processes with overall agency performance. All the best in your new role, Will.

Arthur Pealstein returned to the National Office after a nine years to head the Arbitration and NPU Department. He will also temporarily head the HR Office. Arthur was General Counsel and Director of ADR from 2001 – 2005. He served as an FMCS mediator in Minneapolis and Trenton from 2012 until his recent appointment in September. From 2005 to 2012, Arthur served as professor of Law at Creighton University. Welcome back, Arthur!

Newly Hired Mediators

Priscila Horde and Richard “Mike” Cunningham were hired in June 2014 and stationed in the Birmingham office. They both have extensive collective bargaining experience as management representatives.

Chris Alford was hired in June 2014, and is stationed in Louisville, KY. Chris gained extensive experience, in variety of positions, with IBT.

Jeff Middleton was hired in July 2014. Jeff will work in Milwaukee, where I mediated for four years in the late 60s. Jeff is a former school teacher and union representative for AFSCME and IEA.

Richard Murphy was hired in July 2014 and assigned to the Chicago office. He has worked as a journeyman electrician and an IBEW representative.

William Domini was hired in September 2014, and assigned to the Woodbridge N.J. office. William has experience representing the IBT, UFCW, Hotel and Restaurant Employees.

Latonya Smith worked for OPEIU and as bank manager. She is assigned to the Minneapolis office.

Steve Weigand previously worked for SEIU. He is now stationed in Albany, NY.

Michele Denise Hart (Woodbridge, NJ) and **George Lovell** (Portland ME) are newly hired mediators.

In Memoriam

Jim Power died on May 24, 2014 after a long illness. He played a number of roles in the National Office. He managed the arbitration function, wrote speeches

for several directors, and handled the overseas work. He worked with me in the Office of Technical Services. Jim and I started the Caucus Newsletter together.

After I was Rified in 1982, Jim, knowing about my FMCS history gathering, watched for things that might interest me. As space in the building was given up, one floor at time, Jim saw materials being thrown out thoughtlessly. He boxed materials up and waited for me to pick them up. Some of the boxes were retrieved from the dumpster behind the building. I am forever grateful to Jim.

George O’Keefe died in March 2008: **Keven Powers** wrote this fond remembrance of George: “In 1975, when I arrived in Buffalo, the senior mediator in the office was **George O’Keefe**. His years of experience had made him the conscience of the collective bargaining process in the Buffalo area.

“I was fascinated by George’s memories of life in Buffalo during the late 1920’s and 1930’s, when many of the basic industries that characterized Buffalo at the time (steel, auto, flour milling & machine manufacturing) were being organized.”

“When a representative or committee member would be getting out of hand, George was one of the few people I ever saw who could turn to the miscreant and say, “I knew your parents. Would they like to hear you talk like that?” The effect was devastating.”

“In middle of Reagan’s second term, George retired, giving this reason: “I spent my entire life building and fostering a system that can work. I can’t be part of taking it apart piece by piece. As I see it, that is what is going on today. I won’t be a part of it.” George left with much to be proud of and the area was less without his presence.”

Robert Bennett died in his home in Amana, Iowa on June 9, 2014. □ Bob spent 20 years in the labor movement. He joined FMCS in 1973 and was assigned to Cedar Rapids, where he distinguished himself for the next 20 years, which resulted in numerous honors and awards, including his induction into Who's Who in Labor in 1975, induction into the Dubuque Area Labor Hall of Fame in 2013 and at his retirement in 1994, they established the "Bob Bennett Good Faith Award." In retirement Bob enjoyed a winter home in Marco Island, Fla. □

Herb Haber a mediator from long ago died in January of 2014. Herb joined FMCS in 6-25-51, and worked in Trenton, NJ. until 8-8-61. His mediator number was 275. After FMCS, Herb became a well known arbitrator.

Mary Prothro died June 16, 2014. **Dan Funkhouser** wrote this about Mary. “On a more personal level, she was one of my very best friends in life and I cherish every day of the 30 plus years I knew her. I loved working with her for many years; and I have enjoyed even more the times we have shared since we retired. Sandy and I will miss her greatly.”

Robert (Bob) Kyler died on July 3, 2014. Bob worked in the Philadelphia office from 1974 until retiring in 1986, when he began arbitrating. Bob was very proud to have been a Marine.

Ken Evans died August 1, 2014. I met Ken when we both joined FMCS as mediator interns in Spring 1964, and he began his 38 years with FMCS. My employee number was 489 and Ken's was 490. Typical of Ken, he wrote these words to his colleagues when he retired: "My observation is that the business we are in draws people to it who are dedicated to helping people and that is what makes it so great."

Robert A. Klinshaw died on March 23, 2012. When Bob returned home from the Army in WWII, he soon became President of a USW local. After 20 years, he became a staff representative for USW in 1965. In 1974, he joined FMCS where he worked until his retirement in the early 1990s. **Kevin Powers** and Bob were in the same new mediator class in December 1974. Kevin remembers that he and Bob were both very glad, as they joined FMCS, that Ford had replaced Nixon in the White House.

Pat Duff died in December of 2013. Pat joined FMCS in 1973 and began his mediation career in Pittsburgh. He left FMCS in 1979 to work as an arbitrator and later as a mediator for the PA Bureau of Mediation, before returning to FMCS in 1990, where he remained until retiring 2007. Pat's colleague **John Pinto** remembered Pat in these words: "Pat always focused on the positive and looked for the best in everyone he dealt with and in all situations."

Big Donation by Mediators

The FMCS Association of Federal Mediators has generously given the Friends \$5,000. That surprise donation made me feel like I'd won the lottery. I want to thank all the members and the leadership of the Association for their donation. Since I've never been very good at fund raising, this donation has been a tremendous relief. Thank you! Thank you!

Newly Retired

Mediator **Timothy Bower**, South Bend, IN, retired in August 2014. Mediator **Tim Germany**, New York, retired on July 31, 2014. Enjoy your retirem

Scott Blake Honored

DMS **Scott Blake** was honored by his selection as the Federal Executive Board Chair of the Year. OPM Director Kathleen Archuleta announced Scott's selection based on his work as Chair of the Philadelphia Federal Executive Board. She listed three initiatives Scott carried to completion during his Executive Board Chairmanship. Congrats, Scott?

Readers Write

Nick Fidandis wrote in response to the Spring 2014 Caucus which included a list of individuals who had served as Acting Director. Nick enclosed an August 7, 1979 letter from Director **Wayne Horvitz** assigning Nick for a three week period while Deputy Director **Ken Moffett** was at Harvard University in a management course when Horvitz was "absent from the office." In his letter, Nick states that he does not recall whether Horvitz was ever "absent from the office" during those three weeks. He also doesn't recall signing any memos as Acting Director. Nick ends his letter with this suggestion: "It seems only proper to add this postscript to help complete your update, if only to note someone who served for possibly the shortest period of time in that capacity." I am inclined to add Nick to the list, but I will await the reaction of readers.

From Capt. **F. Donnal O'Brien**, USN (Ret), a note saying: "Thanks for all you've done to keep the FMCS legacy alive." Thank you, Don, I appreciate your thought. I didn't know about your Navy connection. I was enlisted during the Korean event, and made First Class PO.

Ira Lobel wrote he is still doing arbitration and mediation, and his two daughters are married, and one has delighted him by making him a grand-dad. He is also thankful for the Caucus. **Ira Lobel** also wrote after reading the meeting Minutes of the Labor-Management Council of FMCS. IRA said he looked for some reference to mediation and he found none, which made him wonder if FMCS is the same agency where he once worked.

Dave Tanzman wrote complaining that I don't answer my phone. So I called him and learned he is still working. Dave must be the oldest retiree. Let me know if someone is older than Dave.

Active mediator **Pete Cheng** wrote thanking **John Popular** and **Dick Deem** for the Reunion in Dunedin, FL. He included a CD of his Reunion photos. And, Pete thanked me for interviewing him. (For the record, I am interested in interviewing more current mediators.)

Louis Hilpp wrote thanking me for recording an interview with him at the Reunion. Louis also bought a copy of my ADR History book. Thanks for that, Lou.

Ron Colletta told me that when he was in-training as new mediator, he accompanied **Jerry Finley** on a dispute in San Francisco. The dispute involved a taxi company and the IBT. At one point during a joint session, the two spokesmen began shouting and cursing at each other so loud and long that Jerry took off one of his shoes and began pounding it on the table. That stopped everything. That occurred not long after Russian Kruscho did something like that at the UN.

Bonnie Castrey will be President –Elect of the national Labor and Employment Relations Association (LERA) and will be President June 2015-June 2016. Also Cornell's ILR School has asked her to serve as the Jean McKelvey Neutral in Residence for the school year 2014-15. Bonnie will be at Cornell for a few days in October and again in April sharing her experience in Dispute Resolution, which as most of you know commenced January 20, 1975 as an FMCS Intern.

Doug Hammond sent this kind recollection of **Jim Power**: "It was sad hearing about Jim Powers' accident and death. I remember he introduced himself and chatted with me about possible mutual acquaintances from Chicago while I was waiting for my interview for the intern position in June, 1975. He didn't realize it, but he helped relax me...I got hired and the rest is history."

Ron Collatta sent me a supply of mints. On the outside of each mint wrapper, are these words: "FMCS Settlements." He also sent a supply of badges with the word "I", a picture of a heart and the word "Mediation" .

Mediator Code Numbers

Several mediators' names have appeared in this issue with their code number in (). **Herb Haber** (275) was in the first mediator class. **Jerry Barrett** (489) and **Ken Evans** (490) were in a 1964 class. New mediator **William Domini** (1168) was hired in 2014.

I hadn't realized mediator code numbers were still being assigned. Domini's number shows how few individual have actually been a Commissioner during the 67 years of FMCS history. Modestly, we all must appreciate how unique we are, or the job is.

On my website (mediationhistory.org), click on the fourth item under Documents, and you will see mediator code numbers from the beginning. Some of the earliest mediators listed were hired by USCS and then transferred when FMCS was created in 1947. The last mediator listed is Peter Cheng (973) who was hired 9-15-1996. I need to see if FMCS will give me the list since 1996.

Mediation' on TV

First there was the TV Show: Fairly Legal. I watched all segments. I think there were six or eight. The mediator actress was fun to look at and had a very

engaging personality. The show was entertaining and fun, but the ‘mediator’ didn’t mediate. I watched each segment hoping that viewers would get some sense of mediation. What they got was an attractive person, full of good will who liked to help fix things. But the show was devoid of any recognizable mediation techniques applied appropriately.

Well now there’s a new one on the Bravo network called Untying the Knot, in which an attorney-mediator “mediates” property division issues between divorcing couples. Read below the show’s website summary of the series, and decide if viewers will learn much about mediation:

“When couples go from ‘I do’ to ‘I don’t’, Vikki Ziegler is who they call to mediate, advise and divide their assets out of court. Each 30-minute episode features a different divorcing couple struggling to divvy up their belongings that range from dazzling diamonds to family pets. Expert appraisers Michael and Mark Millea evaluated the items in question and help Vikki determine a fair division of assets. Why let a judge decide your fate when this “Divorce Diva” can cut through all the drama to determine who will get what?”

On the October 5, 2014 showing of The Good Wife, the disputing parties, two neighboring farmers, decided to leave a court trial and use Christian Arbitration. On the second day of the arbitration hearing, lawyers on both sides came back, having stocked up on Biblical quotes, with which they lace their arguments. The two farmers become discussed with their lawyers, and walked away from the table to reach an agreement after a few sentences and a hand shake.

An Easy Look at the FMCS/USCS Collection at GWU

Using Google, type in my full name: Jerome T. Barrett. Read the first, second or third items that come up. Click on the one that has my name and GWU and/or Gilman Library. Then, you’ll be looking at The Finding Guide to the collection. Enjoy looking at the extensive list of items in the collection, realize that the entire collection has not yet been entered in the Special Collection of the GWU library.

When you first click on my name sometimes, farther down the list, you will find two other Jerome T. Barretts. One is an MD who discover a thout condition that bears his name. The other is a lifer and murderer in a North Carolina prison. Also there may be photos of one or the other of them, but not me.

Something Else to Check Out

Professor Tom Kochan at MIT recently wrote several articles arguing that a New England grocery chain might be creating a trend that could be the resurgence of labor and collective bargaining. The Market Basket grocery chain has 72 stores and 2,500 employees. Professor Kochan ends his Fortune Magazine article with

these words:

“So, thank you Market Basket for providing the best labor lesson of this century to date. Let’s hope others will provide more of the same.”

Goggle his name to read his idea and decide if he is on to something or not.

Please Write

Let me hear from you. Write something interesting or not. I’ll appreciate it, and use it if I can. Also, when you retire, please send your new email address.

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