

THE CAUCUS

The F.M.C.S. Retiree Newsletter
By Friends of FMCS History Foundation

Volume 17, Issue 1

Spring 2008

PUT THESE DATES ON YOUR CALENDAR AND MAKE PLANS TO ATTEND

APRIL 29, 30 AND MAY 1, 2008

**THEY ARE THE DATES OF THE RETIREE REUNION IN DUNEDIN, FLORIDA
AT THE BEST WESTERN YACHT HARBOR INN.**

Call John Popular (727-596-9924) or Dick Deem (813-994-1531) for more information on the Reunion. The events begin with a Sunset Reception on Tuesday evening at 6:PM with food and drinks. Wednesday is open for golf, shopping, catching up with friends and sightseeing. The hospitality room in the hotel opens at 5:PM. Thursday involves more hanging out or using John and Dick's list of places to go. The evening includes the hospitality room at 5:PM, featuring a DVD showing of a scrap-book of prior reunions. The evening concludes with a banquet at 7:15PM.

Each year, the Retiree Reunion gets bigger and better. Hope to see you there!!

New Retirees

Please welcome to our ranks the newest retired mediators: Ron Sweet (Milwaukee) Norm Beattie (Springfield), Dan O'Leary (Chicago), Ed Cahill (Cedar Rapids) Ruth Carpenter (Oakland), Tom Carroll (Hartford), and Pat Duff (Pittsburgh). Newly retired from the National Office are Pearl Newlon (Arbitration) and Chuck Burton (Admin. Services.)

Hope to see all new Retirees at this year's Reunion.

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e-mail: info@mediationhistory.org
Friends website <http://mediationhistory.org>

Subscription: \$50. Annual support of the Friends
Published twice yearly, Spring and Fall
Editor: Jerry Barrett (489) Friends of History:

Happenings at FMCS

Dawn E. Starr is the new FMCS General Counsel. Most recently, she was a labor lawyer in private practice, prior to that she was staff counsel to NLRB Chairmen Stephens and Dotson and Board Member Jenkins.

Does any reader know which FMCS General Counsel served the longest? Was it **Eileen Hoffman**? This past year Eileen served as President of LERA. Can you name other mediators who held that position? Two are named in this Caucus.

When **Dan O'leary's** retired, it was noted that he had served nearly 40 years. That is very remarkable. Congrats, Dan, and all the best to you in retirement. Can anyone name a mediator who served longer?

The FMCS sponsored 14th National Labor-Management Conference, scheduled for June 9 to 11 in Washington D.C., features big name speakers and countless workshops. Of particular interest to the Friends of FMCS History is that the Bill Abner Award will be given for the second time at this FMCS conference. Your editor has been involved with the Abner Award for 25 years. For the last three years, the award has been handled by the Friends. **Bill Abner** was a special assistant to Director **Bill Simkin** in the 1960s. Retirees who wish to nominate someone for the award can do so before May 15th by writing to the Friends. The nominee should be someone who has worked to improve dispute resolution in public sector labor relations and has promoted that use of dispute resolution by writing about it or other promotional efforts to help other dispute resolvers. The most recent Abner Award was given to Lou Manchise for his work in using and promoting IBN in the public sector.

The Federal reimbursement rate for mileage is now 50.5 cents per mile. How much was it when you joined FMCS?

How About These:

The U.S. Institute of Peace (USIP) has public money and a site on the Washington Mall, near the Lincoln Memorial, for the construction of a building honoring peace making and conflict resolution. Some readers may remember that the USIP is the result of efforts started during the Carter Administration to create an academy for Peace on a scale like the military academies. Director **Wayne Horvitz** provided congressional testimony on that early idea. After much debate, delay and modification the USIP resulted, on a scale much smaller than a military academy. If the new building is of interest to readers, they can check it out on the USIP website. Construction is scheduled to start this year, with a completion date of 2010.

A compromise is the art of dividing a cake in such a way that everyone believes he has the biggest piece. Ludwig Erhard

The Association for Conflict Resolution (ACR), the successor to SPIDR, has recently begun discussion about a peace and conflict resolution museum. ACR is

seeking peace and conflict resolution organizations to partner in this endeavor. One possibility is that the museum may be a virtual museum on-line.

Jim Schepker was searching old files in his basement when he found a copy of a 1948 book written by Congressman Charles Hartley of the Taft-Hartley Act. Jim very kindly donated the book to the Friends Archive. Thanks much, Jim.

Not Everyone Loves the NLRB: The AFL-CIO for example doesn't. In congressional hearings last December, labor movement supporters attacked the Republican majority on the board as having turned "inside out" the purpose and meaning of labor law. Leading the charge was Senator Ted Kennedy and current board member **Wilma Liebman**, appointed by Clinton and formerly with FMCS. On a cold and rainy day in December over a thousand protesters marched to the White House and the NLRB headquarters carrying signs reading "NLRB: Close it for Renovation." Subsequently, the terms of the three Republican members expired. Bush renominated two of them and another management lawyer. Senator Kennedy's committee appears to favor waiting for the next election. The Senate no longer recesses, thus denying Bush the opportunity to make recess appointments. In the mean time, the two Democratic board members, including **Wilma Liebman**, are issuing non controversial decisions in the hope of avoiding reversals from the Court of Appeals.

IBT Has Money. Well, no news in that. But, it is news that the IBT is giving money away. Late last year, the George Washington University Alum Magazine carried a story on a two million dollar gift from the IBT to the GWU library to organize the IBT archive. Further inquiry revealed that GWU is recruiting for a labor archivist to head the program and spend two years at IBT Offices gathering and organizing materials. The history department will get an endowed labor history chair, and GWU is recruiting other unions to join the program. Are we witnessing the reemergence of interest in the labor movement, or does this just suggest that the labor movement is, like dinosaurs, now old enough that historians want to study the remains?

What Kind are (were) You? Current 'experts' seem to agree that mediators come in three categories. Some are evaluative, some are transformative and some are facilitative. What were you?

"If you are neutral in situations of injustice, you have chosen the side of the oppressor. If an elephant has his foot on the tail of a mouse and you say that you are neutral, the mouse will not appreciate your neutrality."

Archbishop Desmond Tutu of South Africa

Working America: Have you heard of this AFL-CIO program? The AFL-CIO is signing-up members in non union employment with the promise of representing them politically as it does members of affiliated unions. Dues for such members are voluntary. For more information check the AFL-CIO website.

Why Me Officer? Have you ever been stopped by a police officer while driving, and wondered later why you got a ticket or why you didn't? Research suggests these answers: Police officers are less likely to issue a ticket in towns dependent on tourists. Local police are more likely to issue a ticket where citizens have voted down a property tax increase. Out-of-towners are 51% more likely to get ticketed compared with 30% for local drivers. The farther a driver lives from the court-house where the ticket can be challenged, the more likely he is to be ticketed.

In Poor Richard's Almanac, Benjamin Franklin demonstrated he knew about interest-based bargaining long before that term became popular. Franklin wrote: "If you would persuade, you must appeal to interest, rather than intellect."

From the Field

Recently announced appointment: **Christina Sickles Merchant** appointed Professor of Practice at the Maxwell School of Citizenship and Public Affairs at Syracuse University. Congrats, Chris!! Some of us remember Chris when she was a mere intern, more than 30 plus years ago.

Barbara and Floyd Wood have resurfaced in Atlanta, to be near a daughter and three grandkids. Both healthy, and doing arbitration and golf. Any guesses on how many addresses Floyd has had since leaving FMCS?

Pat Duff sent a business announcement card referencing his FMCS and Pennsylvania Mediation Bureau experience. He is planning to do arbitration and related impartial service. Good luck, Pat.

Don O'Brien, now back in New England, wrote saying he likes arbitration better than mediation since it gives more control over his schedule. Also he recalled getting the Business Week article from 1947 explaining Taft-Hartley. He got it from an employer while mediating in Elk Grove Village, Illinois. You can see the article on Friend's website.

Bonnie Castrey wrote about a recent conversation with Rachel Nichols about **Pete Nichols** health. Pete is 92.5 years old and in declining health. At Bonnie's request, the Fall 07 Caucus was sent to Rachel to read to Pete. Your Editor remembers fondly taping an interview of Pete in his Post Falls home in January 1986. Pete greeted me on his front porch while chasing away a dozen wild peacocks. Rachel let me try-on her seal skin coat from their stay in Alaska. A beautiful coat to look at, but it weighed more than a Volkswagen.

Jeff Clark sent me his email address, to use for the Caucus delivery, on a neat note card labeled "The Art of Mediation" with two drawings, one marked "Jeff's bag of tricks." Thanks, Jeff.

Brono Kozlowski, Koz, to many mediators, wrote to report he has reached 80 and is still going strong. Koz remembers the "mediator rat pack" fondly, after all these years.

Jerry Finley wrote with a piece of wisdom from long ago mediator **Dan Edwards** who served in Salt Lake and as a National Office Paratrooper. Dan told new mediator Finley "it was necessary to have gray hair to indicate experience and a bad case of hemorrhoids so you'd have a very concerned look on your face."

Bill Lewis talked about his first exposure to IBN with this story. He and **Jack Buettner** attended an IBN training conducted by your editor. At the end of the first day, when the trainees were asked to sing a chant on win-win bargaining, Bill and Jack grimaced and disappeared through a back door.

In the Fall 07 Caucus, the passing of **Frank Andrews** was reported. Your editor mentioned not knowing Andrews. **Al Mille** and **Gayle Wineriter** provided some background: Frank was an administrative assistant in St. Louis; RD. **Bill White** promoted him to mediator and sent him to Houston where he stayed until retirement. Gayle worked with Frank and rated him a good mediator. Al added this interesting note: During Frank's tour in the army, he was First Sergeant for famous General George Patton. When the movie "Patton" came out, Al asked Frank if George C. Scott did a good job playing Patton and Frank said "Scott was Patton!"

Here is a list of mediators who once were administrative assistants and became mediators: **David Tanzman, Charlie Harding, Bill Carr, Calvin Hogue**, and **Frank Andrews**. Do you remember anyone else?

Sorine Preli wrote with some suggestions on where to find class photos, per a recent request in the Caucus that listed the missing mediator class photos. She also pointed out how seldom FMCS is mentioned in the media, making it clear we were with FMCS in the hay days.

Erika Duelge, a marketing communication person from Waukesha, Wisconsin wrote your editor saying she interviewed **Ron Sweet**, who recently retired, about his career with FMCS in Milwaukee. She promised to send her notes on the interview for the Friends Archive. If any other reader has been interviewed about their FMCS career, please send it to the Friends Archive, in whatever form you have it.

Contributors Since the Last Caucus

Many thanks to the following contributors since the last Caucus:

Bob Householder, Bruno Kozlowski, Bill Heekin, Jerry Ross, Jerry Finley, Maureen Labenski, Larry Babcock, Ira Lobel, Bob Ditillo, Don Eaton, John Courtney, Lavonne Ritter, Lou Manchise, Mike Madden, John Wells, Bill Carlisle, Don Mayne, Don Hampton, Fred Reebals, Ruth Carpenter, Scot Beckenbaugh, Tom Colosi, Mery Skolochenko, Cliff Suggs, Bernie DeLury, Earl Smith, Tom O'Brien, Jef Clark, Jerry Barrett, Fran O'Brien, Barb and Floyd Wood, Frank Fiore, Herb Fishgold, Jim Schepker, Scott Blake, John Buettner, Paul Chabot, Pete Cinquemani, Ron Collota, Gary Eder, Steve Fischer, Josh Flax, Bill Gill, Gary Hattal, Gerry Hughes, Mike Johaneson, Dale Johnson, Christel Jorgensen, Ken Kawamoto, Mary Kluzycski, John Pinto, Kurt Saunders, Joel Schaffer, Tom Summers, and Connie Weimer.

In Memoriam

Maggie Jacobsen died of breast cancer on January 5, 2008. She was an FMCS mediator in San Francisco and Portland beginning in 1976. Prior to FMCS, she was a flight attendant, secretary-treasurer of the Flight Attendant Union, and manager of labor relations for Continental Airlines. After leaving FMCS, Maggie served as labor relations manager for the City of San Francisco. In 1993, President Clinton appointed her to the NMB, where she served three terms including a time as Chair. She mediated two national railway agreements producing the longest period of peace in that industry in 22 years. In 1998, Maggie was elected president of LERA. A memorial is planned by labor and management on June 7th in Washington D.C. to honor her long and distinguished career.

Larry Schultz, who served with FMCS from 1961 to 1985, died of pneumonia on December 5, 2007, at age 86. Larry played football in college, in the US Army Air Force during WW11 and professionally for the Chicago Cardinals. He later coached football at the U of Nebraska and Defiance College. Larry represented both labor and management in collective bargaining before joining FMCS, where he served as a mediator, training officer and finally as head of the arbitration office. After retiring, Larry, a lawyer, taught labor law at U of San Diego, had an active arbitration practice, and was a member of the NAA. An example of Larry's memorable sense of humor was a remark he made during the administration of more than one FMCS Director. Larry would say: "I once was able to say that **Wit McCoy** was the worst FMCS Director", then pausing for effect, he'd say: "I can't say that any more."

Vinny Watson's courageous battle against cancer ended in early February when he peacefully passed away at home. **Ira Lobel** wrote the following: "Vinny was one of a kind. He was a dedicated mediator and a good friend. While Vinny could spout political incorrect stereotypes with abandon, I truly believe he was one of those people who did not discriminate against anyone because of what

race or nationality they were. He had a way about him that was truly endearing. He will be missed.”

Irving Bluestone died November 18, 2007 at age 90. Many retirees will remember him. He had been vice president of the UAW, and later, professor of industrial relations at Wayne State University.

Kevin Powers wrote the following obituary: “Ed Kelly was considered the dean of labor reporters in New York State and had a national reputation. He was a very good friend of FMCS and made sure that we got mentioned at every opportunity. His generosity with the ink paid-off as most of the mediators were more than willing to give Ed some in depth information or inside stuff when they knew that they were going to be mentioned in the next edition of the paper. Those stories in the Buffalo News did more for the agency in the community than a truckload of EAO things do today. We would carefully cut the articles out of the paper and mail them to **Dan Fitzpatrick**. Every little bit helps at evaluation time.”

From the Editor

This is the 17th issue of the Caucus. See the website for back issues of the Caucus. If you don't see a Caucus in the Spring or Fall, check the website to see if you missed one. This is the third issue of the Caucus being sent by email and U.S. mail. Emailing it is less work and less cost. So those of you who haven't provided an email address yet, please do. If you did provide one, and you subsequently changed it, email that information. Note my change of address from apartment 517 to 212.

Please continue to send tax-deductible donations to the Friends; it pays the Archive rent. In 1992 when the Friends officially began as a nonprofit, tax-exempt entity, I suggested \$25. as an annual membership fee. During those sixteen years, the archive monthly rent has increased from \$250. to \$600. Many of you have been sending larger checks, thankfully. For those who have stuck with \$25, I am suggesting \$50. as more appropriate.

Tom Donahue Remembering FMCS Directors

While your editor was presenting a Poster Session on the FMCS 60th at the LERA meeting in January, Tom Donahue came by and after looking at photos of former Directors, he told two stories worth repeating. Shortly after finishing college, Tom attended a talk by **Joe Finegan**, who headed labor relations at a big NYC department store chain. Finegan discussed upcoming union negotiations, and he predicted that a strike was likely. Then, he observed that a strike was probably necessary to clear-the-air. Tom reported, that at the time, he was shocked because he felt that strikes should always be avoided. Then, Tom added that later he changed his mind. Tom next described presenting an arbitration case before long-time, distinguished Arbitrator **David Cole**. As the hearing was ending, Tom asked Arbitrator Cole if he could file a brief. Cole

looked over his glasses and asked: "What do you feel I missed, Mr. Donahue?"
Tom did not file a brief.

The Caucus
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