

THE CAUCUS

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

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May 2007

FMCS Alumni Reunion in Dunedin, Florida

By **John Popular**

Fifty five former mediators and their spouses attended the 6th annual FMCS Alumni Reunion in Dunedin, Florida on May 1-3, 2007. The site of the Reunion was the Best Western Yacht Harbor Inn in Dunedin overlooking the coastal waterway and yacht marina. On May 1st, the reunion convened for the sunset reception at the beachfront home of former mediator **John Popular** co-hosted by the Deems and Populars.

Fourteen golfers did a scramble golf tournament at the Dunedin Country Club on May 2nd. **Leon and Betty Groves**, partnered with **Dan Funkhouser** and **Sandy Taylor**, won honors with a score 6 strokes below par. Former Directors **Bernie DeLury**, **Ken Moffett**, **Jim Scearce** and **Bill Usery** attended. Along with the golf tournament, others ventured north to picturesque Tarpon Springs, or a few blocks to the village shops of Dunedin.

The May 3rd banquet paid tribute to the 60th Anniversary of FMCS with remarks by **Jerry Barrett**, **Dick Deem** and **John Popular**. It was pointed out that the mediator participants at the Reunion accounted for 30-35 years of the 60 year history of the Agency. Blue and gold coffee mugs commemorating the 60th anniversary were presented to attendees, as well as two papers on the 60th written by **Jerry Barrett**. Those interested in purchasing the FMCS 60th Anniversary coffee mugs should contact either **Ron Collotta** or **John Popular** (727/244-1190).

Dick and Genia Deem hosted the two "hospitality suite" receptions on May 2 and 3. Based on a consensus that this Reunion was the "best ever", we have scheduled the **2008 Reunion for April 29, 30 and May 1st** at the Dunedin lodging facility. Mark it on your calendar. For a list of those attending, see page 2.

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Attending the Reunion were Patsy Anderson and her daughter Cynthia Hall, Bob and Marti Bennett, Bill and Vicki Carlisle, Reggie and Lois Bravo, Jerry Barrett, Bonnie and Bob Castrey, Ed and Nancy Cahill, Ron and Jean Collotta, Dick and Genia Deem, Bernie Delury, Don and Gerri Eaton, Danny Funkhouser and Sandy Taylor, Doris and Leo Gant, Jeff Gordon, Betty and Leon Groves, Don and Jean Hampton, John and Mary Knight, Norman Lee, John and Bertha Lee, Mike and Sheila Madden, Sam and Sally Marshall, Al and Eleanor Mille, Ken and Mary Moffett, Tom and Barbara Montgomery, Sidney Perceful, John and Patricia Popular, Mary Protho, Fred and Pauline Reebels, Paul and Linda Stuckenschneider, Jim Searce, Bill Usery and Fran Pardee. Other guests included Jane St. Claire and Francis Bairstow.

FMCS Is the Best!!

From: Arthur Rosenfeld
Sent: Thursday, April 19, 2007 2:15 PM
To: All Employees
Subject: "The Best Place to Work in the Federal Government"

Dear Colleagues:

If we wanted proof that FMCS is a special place, we don't have to look much farther than today's announcement by the Partnership for Public Service that this Agency again is number one among small agencies in the 2007 ranking of Best Places to Work in the Federal Government. The ranking is the result of responses by FMCS employees to the recent Federal Human Capital Survey conducted by OPM, and it recognizes the Agency as a leader in the top tier of all federal workplaces. Responses of FMCS employees to the survey were compared to the responses from more than 221,000 federal workers in 283 federal organizations, resulting in our first place overall ranking. If you want more information about the Agency ranking and to see how our workplace compared to others in the federal government, go to <http://bestplacestowork.org>. The FMCS Web site also has links to our Agency news release on this honor and to news coverage of the 2007 rankings.

As I'm sure many of you recall, this is the second time we have been so honored. FMCS also was rated number one among small federal agencies in the 2005 rankings. I am delighted by this recognition of FMCS, and it confirms my own belief that this Agency has an extraordinary group of employees. Not only do we do an outstanding job in accomplishing our important mission, but we enjoy what we do and where we do it. Each of you has my thanks for making FMCS a very special place to work.

Nine Dot Exercise

Some readers must remember the Nine Dot Exercise. It was used to encourage outside the box thinking. Nine dots are arranged three in three rows, forming what appears to be a square. The challenge is to connect all nine dots with four connected straight lines. Try it! Who introduced that to FMCS? The Editor thinks he knows.

Missing Class Photos

The Friends Archive has 58 class photos. Some time this summer, the Friends web site, will have a list of virtually all new mediator classes. They will be listed by year and month, and will include the names of all class members. The list will appear under the Documents button. Please check. If your name is not listed, please send an email from the web site telling the year and naming other class members. If you have a photo of your class and it is not listed, please make a copy and mail it to the Friends. Any help you can provide in making this collection more complete will be appreciated.

No Good News for Unions

If you're awaiting a recovery for unions and collective bargaining, you won't find it in these reports from the NLRB or BLS.

The number of representation petitions filed with the NLRB during fiscal year 2006 dropped 25.6 percent from the previous period. The intake of unfair labor practice cases continued a less-dramatic downward trend. ULP cases dropped 6.7 percent, from 24,726 in FY 2005 to 23,080 in the last fiscal year. ULP case filings have dropped almost 31 percent, from 33,439 in FY 1997.

Of the ULP cases found to have merit in 2006, 96.7 percent were resolved through settlement. Over the last 10 years, the settlement rate has ranged from 91.5 percent to 99.5 percent.

BLS reported recently that union membership fell in 2006, to 15.4 million workers, or 12 percent of the workforce, down from 12.5 percent from 2005. That compares with 20 percent in 1983 and 35 percent in the 1950s. Last year's membership decline was caused by large-scale layoffs and buyouts in the auto industry and other manufacturing industries, plus the labor movement's difficulties in organizing nonunion workers fast enough to offset those losses.

Government employment provides the only bright spot for labor where last year 36.2 percent were unionized. With the Democrats now controlling Congress, unions hope to reverse the membership decline when Congress enacts the Employee Free Choice Act, which would strengthen workers' right to unionize via card check.

An A.F.L.-C.I.O. poll has shown that 53 percent of nonunion workers say they would vote to join a union tomorrow if they could. If true that percentage would mean sixty million Americans want to join a union, contrast with only 15.4 who presently belong. Union organizers say that the tough, and often illegal, management resistance and the biased labor law administration make organizing extremely difficult.

States with the highest percentage of unionized workers are: Hawaii (24.7%), New York (24.4%), Alaska (22.2%), New Jersey (20.1%) and Washington (19.8%). States with the lowest percentage of unionized workers are: Texas (4.9%), Georgia (4.4%), Virginia (4.0%), North Carolina (3.3%) and South Carolina (3.3%).

Judge of your natural character by what you do in your dreams.
Ralph Waldo Emerson

Recent Retirees

Seven mediators joined the retiree ranks earlier this year. They are: **Lou Manchise, Don Power, Charles Griffin, Jim Foss, Paul Palacio, Joe Medine,** and **Jerry Carmichael**. Welcome to each of them to this well earned status. A copy of the **Caucus** should reach each of them with the hope they will join the Friends and consider attending the next gathering of FMCS retirees next Spring.

In the News

Several of our colleagues have made the news recently. An article and photo of **Bill Usery** appeared in the Washington Post Magazine on November 5, 2006. Bill reminisces about his experience as Secretary of Labor during the Ford Administration and how the world has changed since then. He remembers pleasant, one on one, conversations with President Ford. He also mentions Kissinger, Rumsfeld and Cheney as part of that administration, but offered no critique on them. In a conversation with your editor at the recent retiree gathering in Florida, Bill told a great story about President Nixon firmly rejecting a cabinet member's suggestion of a national right to work law. Bill quoted Nixon saying: "We rejected that in 1947, so it is not going to happen on my watch."

The Charlotte Observer on December 16, 2006 had a feature on former mediator **Phil Bradley** being the sole survivor of commercial airliner crash 47 years ago. Phil has written a book about his experience, and has given many talks to encourage audiences to overcome their fears.

While it has not been in a newspaper, it should be. **Griffith Moncure**, known to everyone in the National Office as Griff, completed 40 years of government service on January 23, 2007. Griff is the guy who delivers the mail without fail throughout the N.O. Griff knows everyone, where they sit and what kind of mail they get. He has a friendly word and smile for everyone. If he has plans for retiring, he hasn't shared them with your editor.

Another current staff member, **Jan Sunoo**, who is making news on the other side of the world in Vietnam. Here is something he wrote recently: "This has been an assignment of a life time. Imagine having a green field to introduce modern industrial relations, mediation, real collective bargaining ---- where they haven't learned all the wrong things to do to each other." Check out the web site of his project: www.goodworkvn.org. Jan has two more years there before returning to FMCS.

In memoriam

Gayle Wineriter's wife Virginia died in March of this year. She and Gayle had been married for 56 years. Gayle, who has had some recent health issues, would certainly be glad to hear from his friends at his time of loss. (2151 N.W. 59th Ave. – Ocala, FL. 34482 or email: gfwone@earthlink.net)

Lewis Towers died in March 2007 at age 90. Lew joined the USCS in 1945 and retired from FMCS in 1972 after serving in St. Louis, Des Moines and D.C. Lew was born in D.C. and graduated from Georgetown University. Your editor interviewed Lew in 1988 in his home in Savannah, Georgia. While stationed in the N.O., Lew worked as assistant to the legendary Major **Charles Estes** who has been identified as the founder of preventive mediation during the USCS period.

Probably only some N.O. staff will remember **Sue Ann Rees** who was secretary to **Steve Lejko**, director of administration. Sue died in February 2007 at age 88. Those

of us who knew her will remember stories about her learning to fly a plane as a young woman and taking dictation as an OMB secretary on the Marshall Plan following WW11.

Kevin Powers' famous dad died in December of 2006 at age 84. Known as Bert, the senior Powers, was president of the old typo union in New York City. He presided over the 114 day strike in 1962-63 on the issue of the transition to automated typesetting. The strike became the longest ever in NYC, and had major impact on the newspaper business throughout the country. A New York Times labor reporter once described Bert Powers as "honest, clean, democratic ---- and impossible." Bert Powers' career spanned an exciting period in labor-management relations, and one that many of us remember fondly. Sorry for your loss, Kevin. Your Dad was one of kind.

Correction/Update

In last issue of the **Caucus**, where a list of information about FMCS directors was provided, **Arthur Rosenfeld** was listed as having a recess appointment in January 2006. While that was true, he subsequently was confirmed by the Senate in August 2006.

In the same issue, **Bernie DeLury** was not listed as a Director who had had other presidential appointments. That was not correct. Bernie in fact had two presidential appointments: one as Assistant Secretary of Labor for ESA and another as Assistant Secretary of Labor for LMSA. Bernie worked for two presidents, three vice presidents and three secretaries of Labor. Earlier, he worked as Deputy Industrial Commissioner in New York for seven years.

FMCS Institute: Putting Theory into Practice

Feeling bored with the soaps, golf or fishing? Consider attending one of the workshops offered by the FMCS Institute. Workshop offerings are listed on the FMCS web site. You could become a better arbitrator, mediator, negotiator or advocate for tuition of only \$750. per workshop. Institute workshops are held in fun places to visit: Washington D.C., Phoenix, Seattle, Orlando, Santa Monica. If you come to D.C., you can visit the Friends archive.

Retired Mediators Now Academics

Lou Manchise is now teaching at Northern Kentucky University and **Pat Mingarelle** is teaching at Penn State Erie Behrend College. They are both teaching virtually full schedules. Wonder how that full time compares with mediating full time. Hope they let us know. And what are the rest of you doing in retirement that others might find interesting?

"Both optimists and pessimists contribute to our society. The optimist invented the airplane and pessimist the parachute." Gil Stern

Little Know Facts: How's Your Mileage?

A recent survey revealed that the average American walks 900 miles per

year. Another survey revealed that the average American consumes 20 gallons of beer per year. Conclusion: The average American gets 45 miles per gallon.

Peter Hurtgen Honored

NYU Center for Labor and Employment Law will celebrate “the contributions of **Peter Hurtgen** to the field of Labor and Employment Law.” On Thursday, May 31, 2007 at an Inaugural Awards Dinner, the former FMCS Director and former NLRB Chair will be the Guest of Honor. Richard Trumka, AFL CIO Secretary-Treasurer, will be the guest speaker. The event is being held in conjunction with NYU's 60th Annual Conference on Labor and Employment Law.

Hope Peter mentions the FMCS 60th this year.

Reflections of a Mediator

A Poem by Sharon Pickett,
Mediator and Writer*

Create an environment,
Set the right tone,
Help folks to know
That they're not alone.

Join with your clients,
Reassure fear,
Know where you're going,
Make the path clear.

Focus on needs,
No resistance or blame,
Hear every word,
Learn how to frame.

Make no assumptions,
Create healthy doubt,
Stay centered and calm,
Don't use your clout.

Talk to both people,
Look for the good,
Refrain judgment,
No “have to” or “should.”

Gain a commitment,
Develop the knack
Of asking clear questions,
It's more than the facts.

Trust in the process,
Don't try to combine,
Keep it quite simple,
One step at a time.

Identify options,
There's more than one way,
Know your own buttons,
Conflict is OK.

Finalize plans,
And help them to see
It's in their own interest
If they can agree.

So at the end of the day,
When all's said and done,
The dark clouds reveal
a glimmer of sun.

**With author's permission.*

Contributors since Last Caucus

Thanks to: **Reggie “Coach” Bravo, Pearl Smith, John Popular, Bob Bennett, Dean Sederstorm, Jim Parman, Cliff Suggs, Clarence Washington, Mike Madden, Sorine Preli, Bob Jackson, Joe Crowe, David Tanzman, Ansel Garrett, Howard Solomon, Jack Bates, Jan Sunoo, Norn Lee, Bill Heekin, Don Mayne, Don Eaton,**

Bob and Bonny Castrey, Gayle Winerighter, Tom Montgomery, Dick Deem, Jack Healy, Pat Mingarelle, Tom O'Brien, Larry Babcock, Earl Smith, Jerry Ross, Paul Stuckenschneider, Sheldon Walker and Jim Thomas.

Thanks also to the current mediators who continue to make contributions to Friends by check-off from the travel reimbursement.

From the Editor

If you haven't yet done so, please check out the Friends website. The web address now appears at the bottom of page one of the **Caucus**. Let me know what you think, and offer your suggestions.

In the last issue of the **Caucus**, I explained that changes in the law required the Friends to secure its own nonprofit 501c3 status. That was done late last year, so you can continue to make tax deductible donations to the Friends. That's the good news. The bad news is it cost \$1,837. (Lawyer: \$875. - Accountant: \$462. - IRS application fee: \$300. - IRS Report: \$200.) Your contributions are crucial to the Friends.

During the recent retiree gathering in Florida, I taped Interviews with **John Knight, Sidney Perceful, Paul Stuckenschneider** and **Don Eaton**. I also brought some archive materials to exhibit at the gathering, and handed out two papers I wrote on the FMCS 60 years. The papers titles are: "Labor and Management Embraced ADR Following WW11," (2 pages) and "Sixty Years of FMCS: 1947 to 2007." (10 pages) If either paper interests you, write or email. The latter is better since it saves paper, postage and trips to the post office.

This 15th issue of the **Caucus** was sent by email for the first time. It was also sent by U.S. mail to those for whom I have no email address. If you have an email address and you received this issue by U.S. mail, please send me your email address.

All during 2006, I checked periodically with N.O. staff to see if any plans were being made to honor the 60th anniversary of FMCS. I wanted shared Friends archive materials with any celebration. As of this writing, there are not plans. A very sad commentary to those of us who spent proud years at FMCS.

Reminder: Please mark down the date for the next gathering of retirees in Dunedin, Florida -- April 29 to May 1, 2008.

**The Caucus
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FIRST CLASS MAIL