

THE CAUCUS

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

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Spring 2010

FMCS Alumni Annual Reunion

This year's Florida mediator reunion gathering was held on April 27-29, 2010. **John Popular** and **Dick Deem** put a lot of time, energy and creativity into the event. Last year's disappointing attendance was understandably discouraging to John and Dick, so it was wonderful to witness the greatly improved attendance this year. Sixty people attended, including at least a dozen new faces. An Art workshop received great reviews, and therefore will be repeated next year. The Reunion Golf Tournament at Dunedin Country Club involved 15 players. At the final evening dinner, Bonnie Castrey received special recognition for her "Life Time Achievement Award from the LERA (IRRA). Sidney Perceful, Patsy Anderson and Pat Popular were also recognized.

John has already made reservations at the Best Western for next year's Reunion. Mark next year's calendar so you are sure to attend on April 26-28, 2011. If you didn't attend this year, please do next year. If you did attend this year, come next year and bring another retiree.

National Office News

On March 2, 2010, **Director Cohen** appointed Allison Beck as FMCS Deputy Director with primary responsibility for National and International Programs. For the past ten years, Ms. Beck had served as IAM General Counsel. She has experience with NLRB and as a legislative aid for the US Senate.

Director Cohen's News Release on Ms. Beck's appointment included:

"With respect to the FMCS organizational structure, I am also pleased to reconfirm that Scot Beckenbaugh will remain as Deputy Director with

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primary responsibility for Mediation Services and Field Operations and that Jack Buettner and Fran Leonard will remain integral parts of the national leadership team.” (NR. 2-26-10)

In Memoriam

Dorothy Jane Yount, know within FMCS as **DJ**, died on January 9, 2010 at age 90. DJ grew-up in Wisconsin, attended the University of Wisconsin, majored in journalism, met and married her husband there. She raised their family while moving around with her military husband. When their last children entered college, D.J. put her college journalism training to use at FMCS as public information officer.

Mike Dipinto died in December 2009. Mike was hired October 1977 and retired January 2006. He spent most of his FMCS years in Erie, PA, and a shorter period in Atlanta before retiring to Florida. Mike worked for the UAW before joining FMCS.

Jack Canzoneri, a mediator in Buffalo until his retirement 2000, died in Phoenix in January 2010. Jack joined FMCS in 1992 after working for IBT in the Buffalo area. In 1999, he was named Citizen of the year by the Buffalo area IRRA.

Jossie "Nita" Niehoff, died April 19 at the Mount Vernon Nursing and Rehabilitation Center. She was 88 and had colon cancer. Nita had worked in the arbitration office, retiring in 1996. Nita held a nursing degree and worked as an Army nurse in World War II. She married an anthropologist and served as his research assistant as they moved around the world doing research projects. They co-wrote a 1960 book, "East Indians in the West Indies," and they lived in India, Trinidad, Laos and Nigeria before moving to Alexandria in the early 1960s. Some old timers will remember Nita's son Justin who worked in the national office several summers while completing his PhD.

Harry Aikens died on December 2009 at age 80.. He joined FMCS in December 1974. After a brief stay in Philadelphia, Harry transferred to Harrisburg, PA. where he remained until his retirement. Before his FMCS service, Harry held positions on both the union and management side in negotiations.

Ben Jeffries died of an apparent heart attack in the FMCS Louisville office. Ben joined FMCS in June 1989 in Evansville. In 1997, he moved to Louisville. Ben was a Vietnam veteran who gained his labor relations experience as an International Rep. for Chemical Workers Union.

From the Editor

Currently, the Friends finances are miserably low. There is less in the Friends checking account than at any point since the organization started in 1992. There is only enough money remaining to cover the rent for three months. So your tax-deductible donations in any amount are desperately needed.

If your copy of the Caucus arrives by US. Mail and you have a computer, please send me your email address. This saves postage, printing and mail handling time and costs. If your email address has changed, please send your new one to: winjerwin@aol.com -- Within a few days after a Caucus issue is sent, it will show-up on the Friends website. Check that out, including all prior Caucus issues.

While at the April Reunion in Florida, I taped interviews with **Chip Gamble** and **Jim Searce**. They are the number 165 and 166 interviews I've conducted.

If you'd like to see the 2009 FMCS Annual Report, you can find it on the FMCS website. It is only eight pages, so easy to print out.

John Steelman Before USCS

In an earlier Caucus, I mentioned being contacted by a researcher from the University of Montevallo in Alabama, who was delighted to find information about **John Steelman**, the head of the USCS from 1937 to 1944. Her name is Kathy Lowe. She is doing research on John Steelman's work between 1928 and 1934, while he was professor of Sociology and Economics at Alabama College. That school is now known as the University of Montevallo. Because of the sensitive nature of his work off campus, it was not widely known.

Having done some research on Steelman for a paper covering his USCS and White House work (see the Friends website), I was surprised and pleased to learn what Ms. Lowe learned about Steelman's work in Alabama. What follows are a few examples:

His doctoral dissertation, "A Study of Mob Action in the South," University of North Carolina in 1928, is a series of case studies of mob violence, particularly lynchings. Ms. Lowe discovered the last copy of his dissertation. That copy has been digitized and can be viewed at:

<http://www.archive.org/details/studyofmobaction00stee> ---- In 1929-1930, there was strong interest in publishing Steelman's dissertation, but ultimately, Arthur Raper's book "The Tragedy of Lynching" took precedence and was published.

Before college, Steelman spent time as a "hobo" riding the rails in Kansas. He earned two masters degrees. One in Divinity was earned to help his sociology work. He loved to interview people. He won their confidence and cooperation by explaining he was college economics professor trying to learn how the New Deal

was working. He felt that helped him learn both sides of issues from blacks, whites, unions and bosses.

While teaching, he became involved in undercover activities for the Southern Interracial Commission, whose purpose was to ease racial tensions in the South. His investigation of the infamous Tuscaloosa County, Alabama, lynching of three blacks formed the basis of a comprehensive report that was widely circulated in the South. Finally, Steelman was the first person to hold the position of Assistant to the President of the U.S.

Contributors Since the Fall 2010 Caucus

Since the Fall 2010 Caucus, these 40 individuals made one or more contributions to the Friends:

Scot Blake, Jack Buettner, Paul Chabot, Pete Cinquemani, Ron Collotta, Gary Eder. Steve Fischer. Josh Flax, Bill Gill, Gary Hattal, Gerry Hughes, Dale Johnson, Christel Jorgensen, Ken Kawamoto, Mary Kluzycki , John Pinto, , Joel Shaffer, Tom Summers, Connie Weirmer, Eleanor Vogl, Mike Stein, Jim Thomas, Gayl Wineriter, Richard Hooper, Herb Fetty, Earl Smith, Robert and Bonnie Castrey, George Cohen, Bernie DeLury, Norm Lee, Mike Madden, Dave Gurrola, Fran O'Brien, Fred Reebals, Lou Manchise, Dick Deem, Jim Searces, Regie Bravo, John Knight, and Rolf Valtin.

To each of you a heart-felt thank you because the Caucus and Friends' Archive would not exist without your generous support.

Special thanks to: Earl Smith, Herb Fetty, Jim Thomas, Mike Madden, Don O'Brien, Fred Reebals, Rolf Valtin, Mike Stein, John Knight, and Lou Manchise. They each accompanied their check with notes of thanks and good wishes. Bonnie Castrey wrote that her check was sent in memory of **Wayne Horvitz**.

New Retirees

A National office supper party on December 15, 2009 noted the retirement of six long time National Office employees: **Danny Funkhouser, Sandy Taylor, Mary Prothro, Griff Moncure, Sam Baumgardner, and Linda Stubbs**. These six individuals together represent 140 years of government service. While they were not mediators, they will certainly all be missed because their good work made it possible for mediators to do their work.

Dale Johnson retired January 1, 2010 after 30 years with FMCS in Texas. Those of you who knew Dale will remember the shooting skills he and his wife demonstrated at a number of FMCS regional events. Dale was a strong supporter of the Friends. I know he will continue to be.

Carol Tidwell (Minneapolis), 12/31/09
Dan Curry (Kalamazoo), 1/1/10 hired 3-29-1976
Christel Jorgensen (Denver), 12/31/09
Jim Magnusson (Albany). 1/15/10
James Bailey Portland, 3/31/10
John Carpino (Hartford). 3/31/10

George Cohen and FAA/NATCA CBA

On May 19, 2009, a three-member “mediation to finality” panel, appointed by the White House based on the agreement of FAA and NATCA, began mediating a long running dispute between the parties. The panel included former FAA Administer Jan Garvey as chair, arbitrators Richard Block and **George Cohen** as members. The panel’s mediation work, over a period of several months, resolved many issues. The process agreement between the parties provided that issues not resolved via mediation would be submitted to the panel for an arbitration award. Prior to the arbitration phase of the process, Mr. Cohen withdrew from the panel because of an “impending Presidential appointment as FMCS Director ---.” (Tentative Agreement between FAA/NATCA, Aug.2009. p. 147)

This Spring, Director Cohen successfully mediated a settlement between Major League Soccer and the players union. For photos of that event, see the FMCS website, which can be reached through the Friends website.

Some FMCS History

How many mediators with field experience, would you guess, are currently assigned to the National Office? Do you remember when the Office of Mediation had at least a half dozen very experienced mediators, who were often referred to as paratroopers since they went into the field to assist on major cases? They included specialists in public sector, health care, retail food, etc. They coordinated national negotiations in coal, steel, rubber, oil, etc. The number of paratroopers declined with labor-management’s declined thanks to Reagan’s firing of the Air Traffic Controllers and the impact of foreign competition. Eventually, the only paratrooper left was **Gail Winewriter** assigned to the Director’s office because the mediation office had disappeared. Before the declined of mediators in the National Office, there were experienced mediators in other office including arbitration, general counsel, and technical assistance, for example. An early 1970s photo of **Bill Usery’s** “cabinet” shows nine office and program directors, five of whom had field mediation experience and two others had labor relations experience. The photo depicts a time when the Director relied upon experienced mediators and labor relation types to guide FMCS.

As ADR became popular, an ADR function was created in the National Office, which also involved over seas work and a training institute. Initially, the function was staff with mediators with field experience. Gradually, staffing shifted away

from labor management experience in favor of individuals without any prior exposure to FMCS tradition. The function, now called the Office of Alternative Dispute Resolution/International Services, is staffed by individuals with the title of Commissioner, but most readers of the Caucus would not recognize them as such. Everything changes whether we like it or not.

Newsletter History

The first issue of the Caucus was produced by **Jim Power** and me in May 2000. We did two more that year, and only one in 2001, By 2002, two per year became the pattern. So the Spring 2010 issue is the 21st issue.

There was an earlier newsletter for retirees call FMCS RETIREE LETTER started by **Walter Maggiolo**, the legendary Director of the Office of Mediation and the author of two early books on mediation. Interestingly, Maggiolo did not put his name on his newsletter. When **John Canestraight** became editor, he put his name on it beginning with the October 1984 issue. Canestraight was a mediator in St. Louis who served for a time in the Arbitration Office in D.C.

The Archive contains copies of that early newsletter issued between August 1982 (Vol. 3, No. 7) until June 1994 (Vo. 5, No.6). The newsletter covered such topics as: "Hubbard's Homilies" and "Edward's Efflorescent Effusions" – these were poems writing by two mediators or poems they found and liked. Also included: Lists of retirees birthdays with addresses -- Happenings in the national office – GS-14 promotions -- Lots of humor about getting old -- Regional reporters helped gather news.

If any reader has copies before or after the dates listed above, please send them to the Archive to expand the collection.

Oklahoma City Bombing by Sidney Perceful

At the FMCS Mediator's Reunion in Florida at the end of April this year, John Popular recognized folks in special ways. In the intros, he mentioned that a lot of people might not have known about how close I came to being a victim of the Oklahoma City Bombing of the Murrah Building. At Jerry Barrett's request, I am telling my story for the first time in writing for the Caucus.

On Wednesday April 19, 1995. I left my home in northwest OKC to go to Seminole for a 10:00 a.m. meeting. On the way through the city, I realized that I needed to stop by the Credit Union for some lunch money. It was located on the third floor of the Murrah Building. At 8:50 a.m. I pulled in front of the Murrah Building and parked in front of the Ryder Truck which was parked out front. I noticed that it was really busy and lots of people going in and out of the building; I looked in my rear view mirror and saw this guy getting out of the Ryder truck. It was not unusual for people passing through town to stop there because the

Social Security Office was on the first floor, just to the left inside the front door. But I watched the busy people coming and going and felt like I would be late for my meeting in Seminole (60 miles away) if I went up to the third floor and back.

At that point, I decided to pull away and go on. However, a UPS truck was now beside me and had me blocked in. Almost promptly, the driver returned to the UPS truck and I pulled away from my place in front of the Ryder truck and looked at the clock as I did so. It was 8:54 a.m. I thought it was a sonic boom since jets flew over Tinker AFB often, so I went on to my meeting. NOTE: Later on we learned the UPS driver went to officials and said he might have delivered the bomb and wanted them to know because it was a big heavy box. Not so, of course.

Upon arrival in Seminole with a company and the Teamsters, they all met me at the car. I thought "gee this is a friendly bunch (since I had never met with them before). They asked me if I saw the bombing of the Murrah building. At that point I was told about the bomb and the TV was airing the damage. I left the Murrah Building at 8:54 a.m. and the bomb went off at 9:02 a.m. I was saved by six minutes.

Every day I went to the building and stood as they took out the 168 bodies. I lost 11 friends and my four bankers. The credit union suffered the most casualties of any department in the building. My office parking was in the basement of the Murrah Building and several victims were crushed beneath the debris. I had thought of going into the parking garage, but decided not to that day. The shock, grief and suffering was so heavy and hard to watch. Later, I went to counseling and after going to Hawaii, learned quickly that I, too, had PTSD even though I had not suffered a physical injury.

My sons had already given up hope that day that I was alive. By the time it occurred to me that I should call them and let them know I was OK seven hours had lapsed since the bombing. When I did reach them, they were on their way to my home in OKC and when they arrived, we had one big reunion of thankfulness and togetherness and lots of crying. From then on we were always closer than ever before. We never let a day pass that we didn't say "I love you" after that.

When Timothy McVeigh was arrested and John Doe #2 sketch was flashed on TV, I realized I had been in the elevator with both of them on the Wednesday prior to the Wednesday of the bombing. I called the FBI to identify John Doe #2 and told them of my experience of being on the elevator the prior week. We had conversation on the elevator and it only happened because I had worked late that day and had to get to the Murrah Building parking by 6:30 so my car would not be locked in for the night. No one else was in the building at that time of day. Just us three. I did not know that until weeks later. I was questioned for over five hours by two agents and taken to the lineup of Timothy McVeigh along with others two or three days later.

Puzzled by Derivatives?

Kevin Power offers this simple explain: The owner of a poor neighborhood bar in Buffalo found it difficult to make ends meet, So he used a Wall Street solution. He ran bar tabs for each of his regular patrons knowing that many would not be able to pay their tab. He doubled drink prices. When a significant debt accrued, he sold the debt at half its value to a bank with insurance against bad debt.

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