

THE CAUCUS

The F.M.C.S. Retiree Newsletter

By Friends of FMCS History Foundation

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Mediator Annual Reunion

In late April, FMCS retirees assembled for three days in Dunedin, Florida to enjoy low humidity and sunshine, while they golfed, shopped, saw sights, enjoyed an evening reception at John Popular's beach house, and shared stories and laughs at the final night's banquet.

A new feature of the event involved looking at and laughing about old photos, which the Friends Archive has found to be duplicates or not wanted by GWU or NARA. So photos, annual reports, newsletters (as early as 1955) and old Caucuses were made available for viewing, discussing and taking. A smaller number of the same will be available at next year's reunion.

For those readers who did not attend, here is a list of attendees, displaying who you missed seeing: Jerry Barrett, Bob & Marti Bennett, Ed & Nancy Cahill, Gene, Rosie & Nick Bralley, Robert & Bonnie Castrey, Ron Collotta, Dick & Genia Deem, Bernie DeLury, Dan Funkhouser & Sandy Srola, Don & Jean Hampton, John & Mary Knight, John & Bertha Lee, Norm Lee, Ken & Mary Moffett, Jane St. Clare, Mike & Sheila Madden, Al & Eleanor Mille, Herb Fetty, Bill Lewis, Jack Buettner, Earl Leonhardt, Christol Jorgensen, Chip Gamble, Mary Prothor, Jim Searce & Joann McQuade, Sidney Perceful, John Popular, and Barbara Bailey.

Two noteworthy happenings at the banquet: First, Bill Lewis treated us to his version of the history of the FMCS partnership council, on which Bill served proudly. While there were others present who had served on that august council, they failed to challenge Bill's version of its history. Thus, leaving astute observers to assume that Bill's version was true, and not just a cynical attempt at humor.

Secondly, Ron Collotta appeared to willingly accept the leadership of a group, which included everyone in the room, assigned to help recruit new participants for next year's reunion. Everyone present applauded Ron's leadership, and eagerly promised to bring two additional retirees next year.

Friends website: <http://mediationhistory.org>

Wilma Liebman: NLRB Reflections

At LERA's January Annual meeting in Chicago, Wilma Liebman's speech was

titled: "Rhetoric, Reaction and the Rule of Law at the NLRB." Based on her 14 years with NLRB, her remarks are worth reading. Here are some key points:

The NLRB "still functions" in spite continuing attacks on the legitimacy of labor law and collective bargaining rights. The NLRA was attacked from its beginning in 1935 as the most controversial of New Deal laws. She said: "over the past three or four years, the conflicts have escalated. ... By 2010 nearly everything we did started a firestorm." Mitt Romney described the President's recess appointments in January (one a Republican) as "union stooges." Thus every NLRB action is viewed politically. Obama's recess appointments were necessary since Senate Republicans vowed to block all presidential appointees for the rest of his term. Attacks on the NLRB are based on a belief that "government is regulating American business to death and killing American jobs." Liebman's response: "Collapses on Wall Street, mine disasters in West Virginia and oil spills in the Gulf of Mexico don't suggest to me the need for less government regulation..."

"The NLRA has been almost totally resistant to legislative change; there have been no significant changes since 1947. We need a living law not a dead statute or New Deal relic. A labor law that deals with "workplace realities" of today while continuing the enduring core values of the NLRA which are critical to "fairness, [national] economic health and social stability."

Some optimism about the future of American labor law and policy is supported by an increase in manufacturing, the Board's Boeing case, and the resistance to attacks on public employee collective bargaining in Ohio, Wisconsin and elsewhere, which has "increased public awareness of the importance of collective bargaining and labor law." Members of LERA should exercise leadership to support this greater public awareness of collective bargaining and transform the rancor attacks into a serious and creative public discourse ..."

In Memoriam

Longtime FMCS mediator Gayle Wineriter, 84, passed away recently in Ocala, Florida. Commissioner Wineriter was the son in law of Nick Zonarich, a former head of the industrial union division of the AFL-CIO. He joined the FMCS in the early 1960's and served in Houston, Honolulu, and Washington, D.C. In the latter station, Wineriter was involved in major disputes in the copper, rubber, and the aircraft industries. His wife, Virginia Zonarich Wineriter, preceded him in death in 2007 after 56 years of marriage. They had three sons.

Retired Commissioner Robert (Bob) A. Klinshaw, 87, passed away on March 23, 2012. Bob retired from FMCS in 1992, after serving in Syracuse from 1974 to his retirement in 1992. Bob worked at Worthington Mfg. in Buffalo, NY. before enlisting in the U.S. Army during WWII. After the war, he returned to Worthington and served as President of USW Local 2017 for 20 years. In 1965, he became an international staff representative. Bob is survived by his wife of 66 years. They had two children, four grandchildren, and two great grandchildren,

"I hate to send this sad news but Tom Drew died this morning of congestive heart failure. Linda admitted him last night with advanced pneumonia and his heart just couldn't deal with it. He will be buried in Willamette National Cemetery as soon as Linda can arrange with VA." Paul Stuckenschneider

"You may have already seen this note about Tom Drew. We were in the class of 1977 maybe the largest of FMCS history [26] . I was the 25th to leave last June and Harvey Young was the last to leave this year. Tom was one of the most intelligent people I had ever met. He was truly the smooth operator with the Hollywood look. He will be missed. Thanks to Paul Stuckenschneider for being his close friend all these years." Earl Leonhardt .

Gilbert S. McCutcheon died on December 28, 2011 at age 95. In 1942, he joined USCS, which became the FMCS in 1947. He retired from FMCS in 1982 having spent most of his career in the Washington D.C. field office. In 1992, McCutcheon was appointed to the Fairfax County Park Authority Board, a position he held until 2000. He also served for many years as Market Master of Mount Vernon Farmers Market. For his long public service, McCutcheon received the Distinguished Volunteer Service Award from the Virginia Recreation & Parks Society and the Lawrence V. Fowler Award from the Fairfax County Board of Supervisors.

John Martin was hired in 1972 and assigned to St. Louis. In 1975, he came to Washington D.C. as Assistant General Counsel. After leaving FMCS, John Martin worked as a mediator in the U.S. Banking System in St. Louis. He died last summer at 70 of kidney cancer surrounded by his wife and five beautiful and accomplished daughters.

Mary Hosford served in Milwaukee until her retirement in 2004. Mary earned two Masters Degree and a law degree. Prior to FMCS, she was Director of Iowa Nurses Association, and is credited with introducing Hospice to Iowa. She died in February 2012 following a long illness. Two daughters and four grandchildren survive her.

Senior basketball player at the University of Pittsburgh said:

"I am going to graduate on time, no matter how long it takes."

Does New York Governor Mario Cuomo Know Mediation?

In the March 20, 2012 NY Times, Governor Cuomo commented on his experience in mediating the Bernie Madoff settlement:

"What mediators do is recite the realities. It's a speaking role. You don't have to be brilliant. It's called common sense."

From and About Readers

David Tanzman reported that an author is writing David's biography. Hopefully David will inform us all when it is published. The Friends Archive should have a copy. David was unable to attend this year's Florida reunion because his wife broke her ankle. We all hope for her early recovery.

Bob Housholder sent his new email address with a check. Both are welcome.

Ward Wilson sent a note saying nice things about the Caucus with his check.

In a phone call, George Buckingham explained why he gave up college teaching. In what became George's last class, he referred to Professor Deming's work in Japan. A student immediately asks for Deming's first name. George couldn't immediately think of it, so he offered to tell him at the next class. A moment later another student called out the first name while looking at a hand held device.

The Caucus asked in an earlier issue who was the oldest retiree. Norm Lee suggested Roy Smith, who was 95 on 9-11-11. Other suggestions are welcome.

Another Caucus question asked which FMCS Director actually mediated without assistance. Nick Fidandis reports that Director Wayne Horvitz mediated solo on the Metropolitan Opera strike in NYC.

Walter Maggiolo graduated from Harvard Law School in 1933. Two volumes of his law school notes, carefully written in Walter's small cursive, were given to the Friends, and subsequently donated to the law school archive. The Friends received a thank you on prestigious Harvard stationery, but no money.

Nick Fidandis wrote commenting on the recent ordination of John Wagner as a Deacon in the Catholic Church. It is the East Coast John Wagner that Nick is referring to. The one who had served in the National Office for many years. Nick found it interesting that some place in the Scripture it says that there should be no mediator between God and man. Can someone help Nick sort that out?

On August 17, 1977, the median age of then current mediators was 51, based on a memo from Pam Carlson to Bob Gajdys. Does anyone know what it is today?

Jim Leaphart, a mediator in Atlanta, reported enjoying the non-union horse story in the Fall Caucus, and offered this odd language in a CBA. The words: "Give Peace a Chance" appears in the Atlanta transit systems CBA. During each negotiations, management asks to remove it, and the union refuses. No one knows how, why or when it was added.

Maureen Labenski sent two Minneapolis stories: The first involves Hank Bell who was mediating a small, inexperienced group. After a long day with no agreement in sight, the union informed Hank they planned to strike the next day. Hank

excused himself saying he had to get some paperwork. He returned with a blank strike report form, asked for the union's help completing it. When he got to the line for strike ending date, he asked what they wanted him to write. When they couldn't provide a satisfactory answer, Hank put down his pen and said: "What kind of leadership is that? How can you take your members on strike, risk their pay, benefits and jobs without a plan for getting them back to work?" That development caused the union to resume negotiations and reach an agreement without a strike.

Maureen's second story involved Sam Zuiker and Hank Bell, and their shared office. One morning when everyone arrived at work, there was yellow masking tape down the wall, across the floor and up the other wall, dividing their office in half. They each went separately to DD Donovan Mayne saying they had had a falling out and were not speaking to each other. They continued for several days, eventually asking Donovan to mediate. Of course he tried to help, but as you can imagine they didn't make it easy. When they had taken the joke as far as it could be taken, they accepted Donovan's proposal and things returned to normal – as normal as they ever got with two overactive senses of humor at work.

New Retirees

Harvey Young retired in December 2011 after 35 years of service. Armed with a PhD, Harvey began his FMCS career at the National Office in OTS, before moving to Philly as a mediator. (See the item on Tom Drew under Memoriam.)

Earl Leonhardt, a member of the new mediator class with Harvey Young, also retire in Summer 2011. Earl intends to do private mediation in the Cincinnati area. Earl traveled to the Florida Reunion with Bill Lewis, Jack Buettner and Herb Fetty. Older retirees wish, newer retirees would follow Earl's example and participate in the annual reunion.

Chicago Cubs outfielder Andre Dawson on being a role model:

"I want all dem kids to do what I do, to look up to me. I wan all kids to copulate me."

Excerpt from Richard Nixon's speech at a gathering of foreign labor leaders in October 17, 1972.

In the United States, we have a very strong labor movement, a free labor movement. Some might think that that labor movement had been part of the American tradition from the beginning. That is not the case.

There was no free trade union movement of any strength in the young America, not even in Lincoln's America, not even in the late part of the 19th century. There were labor unions, but they had to fight all the way for recognition, recognition not only in their bargaining with management, but recognition in terms of their relations with government.

It wasn't until the 1930's when the Wagner Act was passed and at the highest level in our government collective bargaining was recognized in the U. S.

Now having said that, I am suggesting to the labor union leaders here, who come from relatively new countries or who represent union movements that are young, that are trying to gain recognition, that you have, in looking at the American experience, an indication of what lies ahead for you. It is inevitable that you will develop a strong labor union movement in your country. It is inevitable also that that movement will be recognized by government in your country.

And also, another point I want to make is this: The AFL-CIO, from the dues of its members in this country, helps free labor unions around the world. They have groups in Africa, in Latin America, in Asia, and in Europe. They do that for two reasons: One, because they feel that they have a bond of brotherhood with working people all over the world, but second, they do it for another reason, because the leaders of our free trade union movement are devoted to the survival of freedom and to the growth of freedom all over the world.

I am going to make a statement now that is tremendously important, that I trust all of you will remember and that will be recorded by those here from the press.

When we think of dictatorship and when we think of a free trade union movement, the two cannot exist together. There is no country in the world today in which there is a dictator and in which there is also a free trade union movement. And so we see that a strong, vigorous, free trade union movement is essential if we are going to have free governments in this country or in this world.

That is the American experience. It will be, if it has not been already, the experience in your country.

Contributors to the Friends Since the Last Caucus

Norm Lee, Bob and Bonnie Castrey, Nick Fidancis, John Higgins (retired NLRB), John Wagner, sr., Jeff Clark, Bob Housholder, Bill McFadden, Ward Wilson, Ed Cahill, John Popular, Dick Deem, Ron Collotta, Danny Funkhouser, Bill Lewis, David Tanzman, and Ken Moffett.

Public Sector Debate Aired

The August-September 1975 issue of The Mediator newsletter used the words above as a front-page headline. The first paragraph of the article reads: "Strom Thurmond and Jerry Wurf on the same platform? The Fiery South Carolina Republican Senator and the out spoken president of the 700,000 member AFSCME clashed in a radio debate last month at the Kennedy Center". The article goes on to report that the two agreed on nothing, and that Director Usery served as moderator.

For a long time, Jerry Wurf's views prevailed. But now, thirty-seven years later, the Senator's views are back thanks to the Governor of Wisconsin.

The PATCO Legacy

Professor Joseph A. McCartin has written "Collision Course: Ronald Reagan, the Air Traffic Controllers and the Strike that Changed America." In December, the AFL-CIO hosted a discussion with the author and a panel including Ken Moffett and several former PATCO members and officers. Unhappily, we all know how the story impacted us.

From the Editor

The processing of the 150 plus boxes delivered to George Washington University last summer is underway with a student history major doing the tedious work of sorting, grouping, labeling, packing, etc. He'll be working full time this summer, and part time in the Fall.

Some time this summer, the GWU Archivist and I will be preparing a USCS/FMCS exhibit to be located in the Special Collections of the library.

I've taken 15 boxes to the National Archive containing materials FMCS failed to preserve and provide for permanent retention. I am slowly preparing approximately ten additional boxes for National Archive. All of that will be digitalized for their permanent records, and the paper copies will be delivered to GWU.

For a \$25. fee, your editor signed a contract last week to write a 500 word

article for the Oxford University Press on FMCS. The article will appear in
"The Encyclopedia of American Business, Labor and Economic History."

The Caucus
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