

In the USCS/FMCS Friends

Archive: To tantalize your interest in the Archive, from time-to-time, the Caucus will feature archive items. This one comes from an October 1975 letter addressed to New York Regional Director Paul Yager from Allan A. Tepper, a Boston labor lawyer. Tepper identified himself as the author of a poem written 8 or 9 years earlier, which he had given to legendary Boston mediator John Sullivan at that time. Later, probably in the early 70s, he gave a copy to another New England mediator Austin Skinner. Gerry Gomez, a Boston mediator, reports that Tepper was viewed as the dean of management lawyers dealing with labor in the 60s and 70s. Here is his poem:

CONCILIATOR-MEDIATOR

In the periodic reunion
Between a company and labor
union,
There is apt to be much emotion
And often a verbal explosion.

From each side comes much
criticism.
Only rarely a bit of witticism.
Who will give and who will take?
Which will be the first to break?

When the parties are no longer
considerate
Let alone even sensibly deliberate,
There often appears a conciliator
Sometimes called a mediator.

It's a most, most serious situation
That's brought the parties to
conciliation.
However smart our conciliator, and
astute,
It's hard to settle such a labor
dispute.

It's apt to be a very tough fight
And every side claims to be right.
You can't settle it if you pray,
For every side is in there to stay.

If that's all that one will offer
The other has nothing more to
proffer.

"Everything we had it spent.
We haven't got another cent."

It's not a joke or even a cinch
To move the other party a single
inch:
It's not always a rapid pace
And at times he must help save face.

The conciliator must watch his
words.

He generally deals with the toughest
of birds.

He can't ever appear to be nervous,
If there's to be any value to his
service.

He'll try to make a new start,
So he'll put the parties apart,
Then use all his talents and gifts
To see if he can bridge the rifts.

From one side to wheedle a slight
concession
To try to offset the other's obsession;
The parties are back together again
On more questions of if, and as, and
when.

It's all a lot of pulling and hauling,
Teasing and sometimes a bit of
gentle mauling.
Let's work and cut the squawk.
You can't settle if you don't talk.

He must listen and listen and talk,
He must never get angry and balk.
If he's going to effect a pact,
He must be the acme of tact.

He labors with all of his might
To bring an end to a dogged fight.
If the dispute settles, - he's great,
If it doesn't, he's just second rate.

He's got some job - this conciliator
Sometimes also called a mediator.

By Allan Tepper, Boston labor lawyer
-- est. 1966-67