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FMCS History Archive Story

Jerome T Barrett, EdD
Founder of the Friends of FMCS History

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(An earlier draft of this paper was used for my remarks on October 25, 2012 at a GWU Library gathering, where some of the Friends collection was displayed, as we noted the transfer of the collection to GWU.)

While I have lived the story of the Friends of FMCS History Archive, until now I have not tried to tell the story. So here is the story based on my best recollection and some record checking:

I earned a BA and an MA while working full time as a stationary operating engineer following four years in the Navy. I also did unpaid work as a steward for IUOE and an organizer for AFSCME. After earning my MA, I worked as an NLRB Field Examiner in Detroit and State labor conciliator in Minnesota. In 1964, I was hired by FMCS as a mediator intern (489) in the Washington D.C. headquarters, where I stayed for almost a year. At the time, FMCS was located in the Department of Labor Building. Finding the intern job not very demanding of my time, I spent hours in the Department of Labor Library reading everything I could find on FMCS, USCS, NMB and early government actions to resolve labor dispute, such as war-time boards and other emergency dispute boards. I discovered speeches and writings of John Steelman, Cyrus Ching, Edgar Warren, Charles Estes, Irving Bernstein, Hilda Kessler Gilbert, W. Ellison Chambers, Rev. Vincent Breen, Edwin E. Witte, Joshua Bernhardt, and Johathan Gossman. I also found works of other NAA and ALMA members and academics. I made copies of the most interesting documents, before I was assigned as a mediator in Milwaukee in 1965.

During my four years mediating in Milwaukee, I continued to gather FMCS materials that interested me, and I began writing about FMCS. Twice during the late 60s, Milwaukee was shut-down as a result of racial riots. In response to those dramatic events, I wrote two published articles suggesting how civil rights and community disputes could be addressed better using collective bargaining and mediation. As a result, I was offered a position by Bill Abner to join him in D.C. with the National Center for Dispute Settlement, testing my idea. After eighteen months with NCDS, doing the most exciting and frightening work I'd ever done, I moved to the Department of Labor to work on public employee disputes for the next three years. Since those two jobs involved a lot of travel, I was able to continue gathering materials and interviews from mediators around the country. After DOL, I returned to FMCS at Bill Usery request to head the new Office of Technical Assistance in the national headquarters in 1973. In that that position, I was responsible for the annual mediator seminars, new mediator

orientation, training and updating mediators, preventive mediation and mediator information service. As an executive staff member, and with a staff of my own, I had a number of people alerting me to items of interest.

One of the most interesting items gathered during that period was photos of newly hired mediator classes, over 50 in total dating back to the first class in 1950. My office framed the class photos and displayed them at the FMCS Annual Seminar at New Orleans in November 1975. We also produced a 22 page seminar brochure with other historic photos and text. This was my first real effort to promote the presentation of FMCS/USCS history.

Because I was conducting a lot of training, I began attending GWU School of Education on a part time basis in 1978. After four years, I had completed enough credits for an EdD in Human Resource Development. My dissertation on USCS and FMCS labor-management training programs required mediator interviews. Initially, my interview questions were focused on my dissertation interest. It immediately became clear that mediators wanted to tell me more than I needed for my dissertation. So I let them tell me as much as they wanted about their FMCS careers. I enjoyed the interviewing and became fascinated with the great stories mediators could share, and I became good at drawing interviewees out. So I continued doing interviews long after completing my dissertation. At present, the collection includes over 200 recorded interviews. Because most mediators are not inclined to write, since talking is their thing, oral history interviews are ideal for gathering their career stories and FMCS history.

I interviewed many retired mediators in their homes. Often as those interviews ended, the retiree would offer me a box of material, which they brought home when they retired. These single boxes helped the collection grow and often produced some duplicates. For example, one of the most interesting documents from that source was a lengthy 1953 study by several Detroit mediators that contained a list and a description of 120 mediation techniques. I acquired five copies even though all copies of the study had been collected and destroyed. For the full story see my article: "In Search of the Rosetta Stone of the Mediation Profession" at Mediationhistory.org.

Copies of other duplicates provided an opportunity to share. I assembled a complete set of annual reports, covering from 1948 to the present, and several partial sets. When I learned that FMCS did not have a complete set of annual reports, I sent a nearly complete set to the current FMCS Director and a similar set to the current FMCS records manager. The collection also contained many duplicate photos. GWU only wanted photos that identified individuals, and if possible provided a date and the occasion. After identifying as many as I could, I took all the photos to one of the FMCS retiree gatherings in Florida, where they were a big hit. I spread both the identified and not identified photos on a large conference table and allowed retirees to check them out. One retiree, probably speaking for many, said: "Every photo caused at least one story to be told." As

retirees identified individuals, they placed a post-it on the back with the needed information. All the identified photos are now at GWU. Retirees were allowed to take others, and they did. Those remaining plus other duplicate materials were available for taking at the October 25, 2012 event at GWU.

After being Riffed by FMCS in 1982, I taught labor relations at Northern Kentucky University for two years. During that period, I completed and defended my dissertation and began arbitrating. I also helped Walter Maggiolo, a long-time retired and nationally known mediator; write a second edition of his 1971 book: "Techniques of Mediation in Labor Disputes", which covered some FMCS history. Walter gave me several boxes of FMCS/USCS materials, and regaled me with many recollections about FMCS and USCS. He also arranged an opportunity for me to interview Martin Joseph O'Connell, a 102 year old former mediator with both USCS and FMCS. Martin provided a wonderful interview.

During the 1980s, budget cuts forced FMCS to reduce office space and staff. In the nine-floor FMCS headquarters, FMCS eventually vacated three floors. This caused an enormous amount of material to be thrown-out. Luckily, I had several confederates in the building who supported what I was doing. They intercepted material marked for disposal, and held it until I could pick it up. Truth be told, I also rescued historic items from FMCS dumpsters.

In 2010, the National Archive and Records Administration (NARA) visited the Friends Archive in Falls Church, VA and identified materials that FMCS should have provided to NARA because they were "permanent records", which FMCS should not have trashed. Following some negotiations, I drove to NARA in Maryland and gave them the 15 boxes of the "permanent records" they sought. NARA assured me that they would digitalize the materials for their records and send the 15 boxes of paper copies to GWU. It took NARA almost 3 years to complete the digitalizing and deliver the 15 boxes to GWU. In 2015, the person at NARA emailed me asking if I wanted digital copies of the 15 boxes of material. I said yes. I have now placed some of that material on my website.

During the 1980s budget cuts, a similar disposal process occurred in field and regional offices. As they closed or combined offices, I often received UPS boxes filled with materials that otherwise would have gone in a dumpster. The boxes included audio-visual projectors, film and paper materials.

When I moved to my teaching position in Kentucky in 1982 and when I returned to Virginia in 1984, my archive moved with my furniture, at my expense. Back in Virginia, the collection resided in a large basement room in my home. Since I had not been able to retire when I was RIF'ed by FMCS, I got a job at DOL in 1984, four grades lower than my final grade at FMCS, where I remained until retiring in

1990. During that period, I continued to collect materials, conduct interviews, and write using the collection.

By 1992, it was clear that I had “a collection,” to use an archivist term, and not just some materials that interested me, So I started the Friends of FMCS History Foundation as a tax exempt, nonprofit with three purposes: “1) gathering, 2) preserving and 3) publicizing the history of FMCS and its predecessor, the USCS.” The gathering was the hardest part. The archive space constitutes the preservation, and publicizing included my writing, exhibiting and talking about the collection.

When my wife and I moved into a condo in 1993, I had to rent office space in a building near my condo in Falls Church, Virginia. The collection remained in that space for 19 years. The initial rent of \$250 per month ultimately became \$650 per month. Funds for rent and other expenses came from donations from mediators, retirees, others, a few grants and my personal funds. Money for rent was always a problem. At one point, I asked FMCS for space in their office that could be used for keeping the Friends archive. After a long delay, they offered to share a coffee room that had no lockable door. I turn it down for obvious reasons. At another point, I discussed making an application for a grant under the FMCS grant program for labor management cooperation. FMCS turned that down. I also discussed having an FMCS clerical employee work in the archive a few hours per week. That didn't happen either.

I did manage to get a few grants after writing numerous grant proposals. Including:

1. While at NKU in 1983, I got a very small grant from the Kentucky Historical Society for interviewing several FMCS mediators in Kentucky.
2. In 1984, I got a small grant from the National Institute for Dispute Resolution for writing a sixty page paper called “A Study of the Non Labor-Management Dispute Settlement Work of FMCS.”
3. My biggest success was with the Hewlett Foundation, which provided a \$30,000 grant in \$10,000 increments, conditioned on me matching the grant funds with other funds. That was a struggle requiring help from family and friends.

Other sources of funds:

1. A non-profit that I had been a part of With Hugh Jascourt went out of business. Since the tax law required that the remaining funds go to a non-profit, the Friends accepted the money.
2. The Bill Abner Award fund, which I had managed for over 20 years, was given to the Friends by its founder Hugh Jascourt. When interest in the award declined, the Friends were allowed to keep the small remaining funds.

3. Before the Friends became a non-profit, I covered the Friends office supplies, mailings, printings and some travel as expenses of my arbitration and consulting business.
4. Jim Power and I started the Caucus Newsletter in 2000, in part, as a fund raising effort.
5. The twice yearly issue of the Caucus by Falls 2016 had reached 37 issues.
6. Some retirees and active mediators consistently supported the Friends with their checks and encouragement for which I am eternally grateful.
7. For 13 years, an arrangement with FMCS allowed mediators to designate a portion of their travel reimbursement for the Friends. Each quarter, FMCS aggregated those donations and sent a single check to the Friends. During those years, fund raising was much easier. Director George Cohen began his tenure by ended that practice. Within six months of that decision, the viability of the Friends finances was in jeopardy. That made finding a new home for the collection urgent.

At this point, I'll remind you that the third mission of the Friends is: "publicize the history of FMCS and its predecessor, the USCS."

Over the years, I put a lot of effort into publicizing the collection, actually more than I remembered until I started writing this summary. Here is some of that effort:

The Friends Website (mediationhistory.org) was created in 2006 to publicize the FMCS history to a larger audience. The Website includes photos, papers, documents, oral histories, and copies of Caucus newsletters. The site contains over 100 documents of various lengths, and over 30 photos. I am disappointed and puzzled that FMCS refused to provide a link to the Friends website from the FMCS website.

In 2001 and 2002, I researched and created two History Calendars that included photos and text on historic dates. My idea was to have historic reminders each month that would build interest in FMCS/USCS history. The 2001 calendar was titled: "History in Small Bites." The 2002 version was titled: "Historic First and Other Mold Breakers." Both calendars were distributed free to retirees and current staff who had shown support. Based on all the preparation work, the cost and the minimal reaction, I didn't do another calendar.

I researched and wrote a number of history quizzes and single history questions for the Caucus and handouts at talks and exhibits. These were intended to capture the interest of current mediators and retirees.

I've organized and conducted a number of history exhibits for FMCS gatherings. I also did one at a National LERA conference, and I've given a number of talks about FMCS history.

A wonderful exhibit event that pleased me greatly began with the arrival of a busload of National Office staff at my archive in Falls Church, having come to spend the day with FMCS history. With FMCS funding, I had rented conference space across the street from the archive, where I had moved materials from the crowded archive space, which thus gave staff the opportunity to walk around in both spaces and examine the collection. They got to see 16 mm films of old mock mediation sessions, view old training material on slide projectors, try to identify former staff in old photos, and much more. Lunch was served thanks to FMCS. As staff boarded the bus in late afternoon, they were better informed about their agency's history.

Because recent retirees' addresses could not be given to me by FMCS, an arrangement was made with an individual in HR to address and mail copies of the Caucus to recent retirees, which I had provided with a stamped copy. This was done with the hope that the retiree would enjoy the Caucus and provide an address where future issues could be sent. After the retirement of the HR person who helped me, that cooperative practice ended.

While the archive was still in Virginia, I made an arrangement to bring pizza and soft drinks to a National Office conference room where staff volunteers ate a free lunch and helped place historic documents into plastic sleeves and place them in three ring binders. For me, the cost of the pizza and drinks was a bargain since it provided all those extra hands processing documents. Plus, the volunteers got to read the documents they handled and talk with me about the document's significance.

On several occasions, a new class of mediators visited the archive during their two-week orientation in Washington, which gave me the opportunity to introduce them to some history.

I've written more than 140 papers and articles, of varying lengths, which either fully or partially covered USCS and FMCS. Also, I've written four books featuring USCS and FMCS:

A History of Alternative Dispute Resolution,

Interest-Based Bargaining: A Users Guide,

P.A.S.T. Is the Future, and

A Successful Model for Interest-Based Collective Bargaining and Partnering in the Public Sector.

I also wrote a significant expansion and updating of Walter Maggiolo's 1972 book, Techniques of Mediation in Labor Disputes, to produce a second edition in 1985.

As the dispute resolution columnist for the ADResolution Magazine beginning in 2002, I wrote 32 articles, many of which cover FMCS/USCS. My attached bibliography includes 140 plus items I've written about USCS, FMCS, mediation, ADR, conflict resolution, and labor-management relations.

*For a Blog at George Washington University Special Collections, I've written seven short notes and attached one or two photos covering the following topics: Postage stamp honoring collective bargaining, PATCO Strike, Cyrus Ching, Caucus in Men's Room, Seven FMCS Directors, Smiling mediators, and Taft-Hartley coverage by Business Week. I will be writing more of these.

To view the GWU Blog click on:

<http://gwuscrc.tumblr.com/post/150079931029/the-following-post-was-submitted-by-jerome-t>

As new Directors were appointed by the White House, I talked with each one, explaining the purpose of the Friends and invited them to visit the archive, which is located 15 to 20 minutes from the National Office. Since I live a few minutes' walk from the archive space, my offer to potential visitors was wide open, covering mornings, evenings, weekdays and weekends. Surprisingly, only four directors have ever visited the Archive. I thought that maybe the archive's new location at GWU, just four blocks from the FMCS National Office, would change that. It didn't. In 2016, the National Office moved several miles from GWU.

Starting in 2000 by fall 2016 thirty-seven (37) issues of the Caucus Newsletter have been written and sent via email and US mail. In the two issues per year, an effort was made to include interesting history information, and in seven issues a full-length history paper appeared.

You might wonder why GWU was selected to hold the Friends Archive. Over the years, several Universities visited the Friends Archive and expressed an interest in having it. They included: Catholic U, Wayne State, Georgia State, U of Maryland, George Mason U, Cornell U, and U of Montevallo (This small Alabama school is where John Steelman had been a professor before heading USCS.)

In about 2009, I read a very brief story in the GWU Alumni Magazine, about a large IBT donation to the GWU Library's Special Collections. I checked it out immediately, even before staff was hired. When staff was hired, including Labor Archivist Tom Conners, I began discussions with them. They visited the Friends archive several times. What they offered was better than any other university. It also helped that GWU is a Metro ride away from my home.

In Falls Church, the archive had been in a 400 square foot room containing ten file cabinets, 12 book cases, numerous stacked milk crates, several large tables, and two desks. The 212 boxes of archive materials that moved to GWU between

July 2011 and summer 2012 was valued by a licensed assessor as worth \$103,000. That number certainly surprised me, and it would have been great if I had received a check for that amount.

So what is next? First, I am relieved to be finished struggling for money to cover the rent or paying it from my personal funds. So beyond feeling relieved, I plan to continue to conduct interviews and write the Caucus. I have several long papers that I plan to write, one on the USCS and FMCS role in promoting arbitration, which is already in draft. I'd like to do more with the website, possibly make it more interactive and add more information. My fondest hope is that scholars from around the U.S. and beyond will come to GWU to use the collection. I do use the collection for my writings, but there is much more that can be done, particularly with the oral histories. I often thought of using the oral histories in the style of Studs Terkel, but that is a skill I don't have. Finally, I look forward to talking with students, mediators, faculty, scholars, news reporters and anyone who express an interest in the collection.

After my 83 birthday in December 2015, I recognized that the collection at GWU was not getting the attention it deserved from practitioners or academics. So I decided to do somethings to gain attention to the work that I had done.

Some good luck with money happened in later 2014 and mid-2015. The Association of FMCS Mediators (a union) decided to go out of business. In 2014, they gave me \$5,000. And in 2015, they gave me \$11,823.89 --- That total of almost \$18,000 has given me the opportunity to think bigger than usual. I am grateful beyond words for the thoughtfulness of the leaders of the Association of FMCS Mediators for this generous gift.

I arranged to exhibit the collection at: the LERA conference in May at Minneapolis, the Canadian IRRA conference in June at Saskatoon, the FMCS

L-M conference in August at Chicago, and the ACR conference in September at Baltimore.

I paid to expand and improve the website (mediationhistory.org) by adding more documents, photos, interviews (oral and written), 50 plus speeches by former directors and others, and add more papers/articles.

I will continue to write, conduct interviews and promote the use of the collection by others.