

THE CAUCUS

The F.M.C.S. Retiree Newsletter By Friends of FMCS History
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Writing a Book on USCS/FMCS

I decided last December when I reached 87 that I should pull together all that I've done, gathered and written on USCS/FMCS history, and write a book before I no longer can. By mid-March, I was three months into writing with over 40,000 words in draft. I am using the 136 shelf feet of material I deposited at GWU Special Collections, and the 215 oral histories I've recorded, and an un-numbered collection of published articles, papers and speeches that I've produced, plus relevant studies, papers, articles, books and documents by others.

The major part of the book will be institutional history (using some historian language). I want to balance that with what mediators and staff have to say about their work and their attitude about their work. That has been captured in Oral History interviews I've recorded.

Here is where I need your help to extract in an organized fashion the needed information. I am looking for volunteers from Caucus readers to listen to one or more interviews, and using some questions that I've written to briefly answer my questions in a two-page document.

I experienced great interest, and enjoyment in interviews I've recorded. I think that volunteers will also. Please write or call me if you are even slightly interested: 703-241-3854 or see email below. Here are two suggestions that can help you decide: 1) Contact me and I will send you an eight-page list of all the interviews. 2) Go on my website (see below) and read or listen to one or more interviews. Some will be written and others will be only voice.

Please give volunteering a serious think. I will express my appreciation by listing your name in the book.

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Website: <http://mediationhistory.org>

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A Note

Check on the website (mediationhistory.org) to see my TV interview in which I talk about another book I wrote: [A History of Alternative Dispute Resolution: The Story of a Political, Cultural and Social Movement.](#)

The AFL-CIO is Antiunion?

I frequently attend talks at the AFL-CIO. As I was about to enter the Federation building in late October, a young woman offered me a flier and we talked for a few minutes. She is a member of OPEIU Local 2 and works at the AFL-CIO. Here is what the flier said:

“Think the AFL-CIO can strengthen the US Labor Movement?”

Look what AFL-CIO is doing to its own employees.

400 days ago, AFL-CIO management illegally imposed a contract on the lowest-paid employees in the building.

Bye, job security. AFL-CIO management gave itself the unlimited ability to furlough us anytime for any number of days.

More hours – same salary = less pay. Management increased many of our hours with no commensurate pay.

Year 7 of a wage freezes. Meanwhile managers received \$4,000 Bonuses in December 2018.

Unfair Labor Practice charges filed with the NLRB.

25 + grievances filed since bargaining began in May 2018.

Ask President Trumka: When did the House of Labor become Antiunion?”

The program featured the Secretary Treasurer interviewing the author of a recent book on union history.

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During the Q and A, no one asked the Secretary Treasurer that question about antiunion behavior at the AFL-CIO.

Phil Bradley Remembered

At Lunch on Dec 11, with Nick Fidandis and Jerry Ross, Nick told this story about Phil Bradley who was the sole survivor of small plane crash in the Virginia mountains during the night. Phil was thrown from the airplane buckled in his seat. Because of his many injuries including many broken bones, he was unable get out of his seat, and remained in that condition until late the following day.

Before joining FMCS, Phil had been a union organizer in that area of Virginia.

Years later, Phil told Nick that when he was recovering from his severe damages from the crash, a nurse came into his room with a bowl of soup and offered to help Phil eat because he was so disabled. Phil swore at her and told her to get away and never come back. Phil remembered her from his long-ago organizing days because she was the chief resister to his organizing effort and had call Phil a Communist.

Two Colleagues Died

Tom Colosi died at age 85 on January 5, 2020. Tom had spent 28 years with American Arbitration Association. He got his early conflict resolution experience as a FMCS mediator in Buffalo, New York working with Sam Sackman. The paths of Tom and I at one point crossed. I had left the FMCS to work at a new branch of AAA called the National Center for Dispute Settlement, which was involved with civil rights disputes. After two years, I decided to return to government, and Tom decided to leave FMCS and Buffalo to take the job I was leaving. For the next few years when we met, we would share information about our new lives. Tom was excellent at facilitating a large group with charm and excitement. I thought he was as good as Merv Griffin.

Don Power passed on December 27, 2019. His health in his final year was very challenging. A "Celebration of Life" for Don was missed by many friends because of the Coronavirus scare. Don was a great story teller. My favorites

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involved his growing up in West Branch Michigan where his dad served as sheriff and mother as undersheriff. He would end that story with “I spent my first 18 years in jail.”

Don graduated from Michigan Tech in 1964, and earned a MS in Industrial and Labor Relations from MSU, where he later was an adjunct professor in the School of Labor Relations and Human Resources. Many of his students remembered him fondly.

Before FMCS Don was an organizer for Michigan Nurses Association. As a mediator, Don served in Michigan, and had many interesting assignments both in this country and South Africa. He retired in 2007. He will be missed by many.

I May Have Told This Story Before: But now it has another angle.

Jerry Ross and I, two years apart, handled a West Virginia coal country arbitration involving the same Grievant. Ross found in the Grievants favor before me, and I did the same. In my case, the management appealed my decision to the Court of Appeals, and I largely forgot about it until I got a BNA clipping from a mediator in South Bend reporting that the USS Supreme Court had heard the case and ruled in my favor.

So, I talked to a friend who knows about these things, and he told me the case had allowed oral arguments, which I could have attended to hear if any court members mentioned my name.

This court decision came down about the same time as the Florida “hanging shad” case that gave Bush the Presidency. With that in mind, I wrote to my five sons and told them the two-decision showed that the count knew more about arbitration than elections.

Much later, I had done a lot of mediation training in Eastern Europe with a very experienced full-time arbitrator named Bill Heekin. We were a team, with me handling mediation and Bill handling arbitration. We spent a lot of time together, and at some point, we both ran out of stories so I told him the story above.

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Bill's reaction was a complete surprise to me. Keep in mind that Bill had been arbitrating for years, and was a long-time member of the National Academy of Arbitrators. I on the other hand had arbitrated only about 100 cases. So, when I finished my story, Bill said he had never met an arbitrator who had a case go to the Supreme Court. Isn't life strange! What follows is even stranger.

Collective Bargaining for Public Employees in Virginia

In the Fall election in 2018, the Democrats won both chambers of the General Assembly, and also the Governorship. In the 2020 legislative session, they passed many liberal laws including a law establishing collective bargaining for all public employees. Virginia is a long time Right to Work state, and the national headquarter for the Right to Work Committee is in Virginia. North Carolina and Virginia are the only two States that have an absolute prohibition against public employee collective bargaining. I will be watching how the new law plays out in Virginia.

In recent year, two states with well-established a long-time public employee collective bargaining law had it gutted by Republican Governors. Wisconsin in 2015 and Iowa in 2017.

Are strikes Making a Come Back?

Meyerson on TAP

My friend Joe McCartin, the terrific labor historian who also runs Georgetown University's Kalmanovitz Initiative for Labor and the Working Poor, has been known to argue that the level of strikes is a better index of labor's health than the percentage of workers enrolled in unions—particularly since enrollment is greatly limited by the deficiencies of labor law.

By Joe's metrics on strikes, that the Bureau of Labor Statistics released last week, reveal a labor movement with a lot more potential energy—and kinetic energy, too—than the membership numbers reveal. During the two-year period of 2018-2019, the BLS reported, a yearly average of 455,400 workers engaged in major work stoppages, which, as the Economic Policy Institute reported, the highest two-year average since 1983-1984. It was in the mid-eighties that workers generally stopped striking, reacting to President Reagan's mass firing of striking air traffic controllers, which led many large private-sector employers to fire their striking workers.

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Today, strikes are back—among teachers, hotel workers, auto workers, supermarket employees, and disconsolate Googleomes, among others. (The walkout of roughly 20,00 Google employees, protesting the company's treatment of sexual harassment, didn't even make it into the BLS numbers due to the bureau's definition of what constitutes a work stoppage.) As I write, more than 20,000 workers are preparing to take a strike vote at Safeway markets in the D.C.–Maryland area.

The return of the strike reflects two somewhat anomalous realities that together constitute the state of the American economy. Low unemployment makes the prospect of striking less terrifying. And the fact that wages lag behind housing, education, and medical costs, despite the low unemployment, makes the prospect of striking more necessary.

Of such factors is labor militancy (and, one hopes, good election outcomes) born. ~
HAROLD MEYERSON 2-18-20

I read Meyerson regularly. You can Follow him on Twitter.

An Old Document Used to Assign Arbitrators by FMCS

Below are two pages from an ancient document given to me by Jewel Myers who had worked the Office of Arbitration for many years, including being Director. She told me she found this old document in a desk draw and she was certain that it had been used to assign cases. The original document was 33 pages long.

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