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FOR MEDIATORS / FACT FINDERS

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HAROLD NEWMAN'S CLOUDY CRYSTAL BALL

"Lead me from the unreal to the real"

Brihadaranayaka Upanishad

"Parke County, Indiana, is famous for its covered bridges. There are more covered bridges there than any place in the United States. It also contains a lovely state park known as Turkey Run. In olden days, thousands of wild turkeys used to breed and shelter under the sandstone cliffs in the park. But alas, we find the wild turkey now most frequently on the label of a splendid bourbon and rarely elsewhere. Nevertheless, to Turkey Run I repaired last to address a two-day seminar on public employment collective bargaining. Indiana passed a law last year covering teachers and will soon extend coverage to all public employees.

"The current law is in my view, a good one. It provides for a three-person board (not more than two from one political party) that has responsibility for representation and elections, unfair labor practices, conciliation and research. The similarity with our own PERB is very marked. My uneasiness with the Indiana law is that it seeks by statute to forbid governments to go into 'deficit financing' as a result of labor agreements. I must confess that I queried our Hoosier friends very closely as to the meaning of this. As heating oil rises sharply in cost and the school board hasn't the money in the till to heat the schoolrooms, are the kids in Kokomo to grasp their primers with icy fingers? If gasoline continues to rise astronomically in cost, are the buses to remain in the barn and toddlers in Terre Haute to trudge five miles through snow and cold to the schoolroom? Lumber is approaching the price of gold. No more school building in South Bend even if the high school is falling apart? I do not think that that is what Indiana intends. Only labor costs are to be held down. I predict they'll discover this won't work.

"Come February and the Indiana Board will be involved in mediation and factfinding (they are now heavily in representation hearings). Trained neutrals are hard to find there. AAA and FMCS sent in some names and a quick check showed that some of the names on the rather small listings were deceased persons. (Thus, the non-controversial neutral at last!) As to our own panel. . . .

"Many of those who attended our seminars at Cornell in October and November have sent notes of high praise for the excellence of the program. (We have a final seminar for this year beginning December 2nd.) We are most grateful to Professor Robert Doherty of the Cornell ILR School and Director of the Institute of Public Employment there for his invaluable assistance in program planning and logistics. (Bob Doherty is a self-described curmudgeon but like the prototype, the late Harold Ickes, a highly civilized one.) Encomiums too are due to factfinders Bob Bickel and

Herb Van Schaack and advocates John Harold, Murray Steyer, Dan Scanlon and Don Mesibov whose replay of their real life roles was done with all of the conscientious devotion they brought to their original hearings.

"The seminars were in my judgment the best we have ever had and I think we all learned much from them. After all, as Oscar Wilde pointed out, the Bible begins with a man and a woman in a garden and ends with Revelation."

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Three Cornell ILR students sat at the feet of the panel members who attended the November Seminar. This was their response.

"Professor Robert E. Doherty
Director, Institute of Public
Employment Cornell University
ILR Extension Division
Ithaca, N. Y. 14850

Dear Professor Doherty,

We extend our heartfelt thanks to you and your staff for permitting us to attend the PERB/Fact-finding seminar.

It was a window into the world of the neutral and a positive learning experience.

We can only implore you to continue to allow students to participate in such progressive and interesting encounters.

Again, 'Thank-you'.

Sincerely,

Joseph P. Pendolino
La-Verne A. Rolle
Mark A. Wainger

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I quote in full a narrative report from Dr. Eric Lawson, Sr. of our panel because it is the kind of thing that Dr. Helsby seeks. Bob Helsby is unconcerned whether or not the party settled for 5 or 6 percent or in the specifics or in the substance of settlement. He is much more interested in the way the settlement is developed.

"Three units were at impasse at the time I had my first meeting, Maintenance and Custodial, Teacher Aides and Transportation. Previous contact with _____, the negotiator for the District, told me that I should dispense with mediation and go straight to fact finding. But, both sides in the Maintenance meeting on June 11 thought that mediation could be fruitful. _____ informed me in caucus that the District would definitely have movement as soon as the annual vote on the budget was successful. That vote was scheduled for the next week. I was pleasantly surprised that he recognized the nature of the bargaining process and was quite optimistic because of his assurances. So we set a new date right after the scheduled annual vote.