

Allen C. DeMarco

How can we tell if someone possesses the necessary characteristics that will make them a fair and objective third-party intervenor in a contentious situation? One telling sign is how former adversaries view the person. Having a past rival request one's service as an adjudicator in a weighty dispute is a significant endorsement of that person's impartiality. Al DeMarco has been recognized in just this way.

Allen C. DeMarco was confirmed as a member of the New York State Public Employment Relations Board by the New York State Senate in June 2015, after being nominated by Governor Andrew Cuomo. This appointment was the capstone to an over 40 year New York State public service career. Al and Robert Hite served as Members of the Board with Seth Agata as Chairperson until April 2016 and then with Chairperson John Wirenius until May 2017. Al brought a balanced perspective to the Board, one shaped by experiences as a management advocate, neutral third-party, advisor, student (Rider University; Harvard College, Kennedy School of Government's Senior Executives in State and Local Government) and trainer. Service in multiple jurisdictions, including state and local governments, as well as non-profit enterprises, contributed to his broad experiences. His perspective from the bargaining table and the "trenches" presented valuable insight for consideration in the review of cases before the Board. His keen sense of what the parties were likely thinking when they acted or reacted often aided Board members in their deliberations. As Chairperson Wirenius recalls, "Al's practical knowledge of how government actually functions throughout the State provided context to the Board's deliberations. He excelled in fashioning remedies that were pragmatic and non-punitive."

In 1969, Al began working at the New York State Office of Alcohol and Substance Abuse. For nearly ten years he directed all major facets of human resources management, including the agency's labor relations program. He assisted in statewide contract negotiations and managed disciplinary and contract administration matters for the agency. His dedication, well-honed human relations skill set and ability to successfully interact with employees, union representatives and agency management was highly regarded outside the Office of Alcohol and Substance Abuse.

The New York State Governor's Office of Employee Relations (OER) recognized Al's capabilities and he served on its leadership team from 1978 to 1998. The twenty years spent with OER immersed him in all aspects of labor relations. Al experienced the good, the bad and the ugly dimensions of workplace relationships. His work developing and administering mutually advantageous "family friendly" and other cooperative labor-management initiatives defined the good elements of his career. In addition to other quality of life efforts, some of his hallmark projects included: an employee assistance program; child care in-site and referral programs; apprentice training, safety and health, professional development and improved employee benefit programs. Mutual benefits to labor and management were attained by successfully negotiating a series of collective bargaining agreements with 13 bargaining units

covering nearly 200,000 employees and procedural improvements in grievance and attendance protocols. These examples highlight Al's participation in good labor relations endeavors.

However, along with the good came less appealing challenges. Al was confronted with delivering difficult messages to labor. He presented cost cutting measures that involved lay-offs, wage freezes, benefit reductions, outsourcing, contracting out, and downsizing. It is widely acknowledged, especially by the labor representatives to whom he delivered the bad news that he did so in a way that displayed a true compassion for the hardship that was befalling the employees. Al's considerate understanding and acknowledgement of the difficulties experienced by those affected defined his acceptance as an impartial by his former adversaries.

Al was introduced to the ugly element of labor relations only months after joining OER. On April 19, 1979, the New York State prison guards began a statewide 16-day strike. The complexities of such an event were colossal. Al's immersion into the day-to-day travails of the strike at the outset of his twenty years at OER was his baptism by fire. As a fitting reward for having endured the ugly and bad, while cherishing the good of labor management relations, Al received the 1997 American Society of Public Administration Charles Evans Hughes Award for distinguished public service for an extended period.

Following his time at OER, Al sought to continue his public service and began serving as a human resources/employee relations trainer for unions and management, focusing on conflict management and other organizational behaviors. He negotiated collective bargaining agreements for social service organizations and various public and private school districts and was the first Chairperson of the Merit Board, Roswell Park Cancer Institute in Buffalo, New York. Al's service as a permanent Time and Attendance Disciplinary Umpire and arbitrator for New York State and the Civil Service Employees Association and New York State Corrections Officers Police Benevolent Association (he sat across the table and negotiated agreements covering employees represented by these two unions) best illustrates his acceptance as an impartial labor relations professional.

On occasion, Al and I reminisce about the early years of the Taylor Law, momentous public sector labor relations events, shared experiences, common acquaintances in the business, or simply muse over the thrilling careers we have been privileged to share. Al spent his entire professional career dedicated to public service that is related to collective bargaining and the Taylor Law, a career which happens to span nearly the entire 50 years the statute has existed.

Anthony Zumbolo,
Former Executive Director, NYS Public Employment Relations Board