



# bulletin

FOR MEDIATORS / FACT FINDERS

PUBLISHED BY THE NEW YORK STATE PUBLIC EMPLOYMENT RELATIONS BOARD

August 1973  
(Vol. 4, No. 8)

## HAROLD NEWMAN'S CLOUDY CRYSTAL BALL.

" 'There are no whole truths; all truths are half truths.  
It is trying to treat them as whole truths that plays the devil.' "

Dialogues of Alfred North Whitehead (as recorded by  
Lucien Price), Atlantic Monthly Press, 1954

"I have recently returned from the annual convention of the Association of Labor Mediation agencies held this year at Santa Fe. Among the various programs were a considerable number given over to labor relations professionals who spoke with great enthusiasm about particular devices or procedures utilized to resolve labor disputes. We heard from fervid disciples of 'med-arb' and from those who favored binding arbitration as the final step in all public sector disputes. There were those who were converts to 'last best offer' arbitration and to fact-finding without recommendations. There were those who suggested that fact-finding should always come after mediation and those who were certain that it made more sense to have fact-finding and then have mediation. I must confess that I was more impressed by the beauty of New Mexico's Sangre de Cristo Mountains than by the orations of the True Believers who had found THE ANSWER. (It was really amazing that the speakers' podium withstood the savage karate chops given it by an otherwise mild professor seeking to convert the infidel to the holy joys of med-arb.)

"The framers of the Taylor Law recognized that there was need for flexibility in the procedures utilized for the resolution of labor disputes. Indeed, the statutory provision that the parties may devise their own written procedures for impasse resolution has led to some genuinely innovative and effective ways of resolving disputes in various places in the state. (I would be distorting the truth if I did not add that some local procedures are an abomination. One large city school district provides that if no agreement is reached between the teacher and board negotiators by a fixed date, the board summons 'both sides' (!) to negotiate before them so that they may assist the parties in achieving agreement.) Of course if local procedures are not found to be viable or successful, they can be scrapped. We in PERB seek always to accommodate our conciliation procedures to what the situation and the parties appear to require. But of one thing I am certain --there are no magic formulas. Every procedure discussed at ALMA is splendid if it works. No procedure is THE ANSWER. We are working each day and in each impasse with a different set of problems and a different dramatis personae. We must be flexible enough to provide the parties with the tools they need for settlement and abandon the notion that we can provide the advocates with a script that at Third Act curtain will bring a shout of agreement and a crown of laurel for the mediator.

"Let us go forth and innovate!"

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