

## APPENDIX D

*In the Matter of*

**Research and Education Committee**

*and*

**National Academy of Arbitrators**

1 January 1955

### REPORT AND RECOMMENDATIONS

By designation of the Board of Governors of the National Academy of Arbitrators in January, 1954 the undersigned was asked to serve as Chairman of the Committee on Research and Education and authorized to select the other members of the Committee. As finally constituted the Committee consisted of the following members:

Lloyd H. Bailer  
Irving Bernstein  
Edward L. Cushman  
Harold Davey  
Frank Elkouri  
Paul Guthrie  
Morrison Handsaker

Charles Killingsworth  
William N. Loucks  
Lois J. MacDonald  
Jean T. McKelvey  
Frank C. Pierson  
Benjamin C. Roberts  
Robert L. Stutz

Full opportunity was provided each of the Committee members to answer numerous questionnaires circulated by the Chairman. During the year the Chairman met on three occasions with the Board of Governors and once (privately) with the President, Saul Wallen. With the authorization of the Board and the Committee, the Chairman also circulated to all members of the Academy a questionnaire designed to enlist membership participation in the planning of a projected Academy publication, details of which will be presented hereinafter. Thus it can be seen that a full and fair hearing was granted to the rank and file as well as to the officers of the Academy.

Two interim reports have been filed with the Board of Governors. What follows is the Committee's final report (with recommendations).

### The Issues

As in most proceedings of this kind there was no formal agreement as to the questions before the Committee. The prior Committee had suggested that its successor continue (1) the statistical survey of the membership; (2) the preparation of a bibliography on arbitration; (3) the establishment of a research clearing house. Since the scope of the Committee's deliberations was not limited, the Committee has had to develop its own formulation of the tasks at hand. Some of them, as will be seen, have been abandoned during negotiations, others were resolved and still others are pending. They will be dealt with in this order.

## I. Suspended Projects

### 1. *Statistical Survey*

Both the Committee (by majority vote) and the Board decided against an annual survey of the case load of the membership similar to the one made in 1953. Instead the Board voted that such a survey should be made at three-year intervals in order to reduce the alleged burden of filling out the forms. Hence, according to present plans, members will not be asked for a report until 1956.

### 2. *Prize Essay Contest*

Although certain individuals favored the establishment of a prize by the Academy to be awarded for the best essay submitted during the year on a topic in the field of arbitration, the majority either opposed this suggestion or were indifferent to it. Consequently this proposal was dropped.

### 3. *Reprints*

There was considerable interest expressed in having the Academy furnish reprints of articles on the subject of arbitration to the membership. Because such questions as expense, selection, and adminis-

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tration could not immediately be resolved, the Board of Governors decided to suspend action on this matter for the time being. The Secretary has agreed to mail to Academy members reprints which are furnished by the author.

## II. Projects Nearing Completion

### 1. *Arbitration Bibliography*

It may be recalled that in 1953 the Committee decided to suspend work on a proposed bibliography pending the publication of a bibliography by the American Arbitration Association. Meanwhile, work on a more comprehensive bibliography covering mediation, arbitration, and fact-finding had been started independently at Cornell by Professor Vernon Jensen. At its June 1954 meeting the Board of Governors voted to appropriate \$200 to help Cornell complete this project. By the fall of 1954 almost 4,000 items had been listed by Professor Jensen with the assistance of Harold Ross. Present plans contemplate the publication of this bibliography during 1955, with semi-annual supplements to be issued thereafter. As co-sponsor of this project the Academy has contracted to have each member receive a copy of the bibliography and the supplements as they are issued. It is hoped that this bibliography will be a useful tool for future research in the field.

### 2. *Research Clearing House*

As a start toward the establishment of what has been designated as a research clearing house or information center, Professor Robert L. Aronson of Cornell agreed to circularize the membership of the Academy, law schools and research institutes to learn the extent and nature of current research projects in the field of arbitration. On the basis of these returns Professor Aronson is preparing a report on "Current Research in Arbitration" to be published in the April (1955) issue of the *Industrial and Labor Relations Review*. Arrangement will be made to furnish reprints of this article to all Academy members.

It is hoped that periodic reports of this kind will be featured in the *Review*. Members are urged to report work finished or in progress to the Editor of the *Review*.

### III. Projects in Progress

#### 1. *Education and Training*

Many of our members believe that the Academy has a vital function to perform in the field of education and training. Since the average age of our membership is now beyond the half-century mark (49.7 years in 1953), the Academy, if it is to continue, must look to infusions of new blood. To study this problem the Chairman has appointed a sub-committee on Education and Training headed by Lloyd Bailer and including, at last report, Ben Scheiber and Lois MacDonald. This committee has been asked to find out what courses in arbitration are currently being offered in American colleges and universities and to report on methods which might appropriately be used to train young people in the field of arbitration. Although the Committee has not yet been able to make a report on what is, of necessity, a long-term project, one by-product has already resulted—an invitation to college students in the Boston area to attend this annual meeting.

#### 2. *Academy Proceedings*

Another by-product of the Committee's work is the plan for the publication on our 10th Anniversary of a volume of the papers and addresses delivered at the annual meetings. This work is in the hands of Gabriel Alexander. Members who have kept files or have copies of their own papers are hereby reminded to send them to the Secretary.

#### 3. *The Volume on Umpire Systems*

Most of the work of the Committee during 1954 has been centered on the preliminary planning of a volume to be published by the Academy within a few years on the subject of umpire systems of arbitration. Through the cooperation of almost 100 of our members

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who responded to the questionnaire, the Committee was able to reach some conclusions as to the scope and content of such a volume. The final report of the Committee to the Board contained the following recommendations:

1. The volume should deal with the umpire systems in mass production industries (autos, steel, and rubber, for example).
2. The chapters should preferably be written by Academy members who have had or are having experience with the systems selected.
3. For the sake of comparative analysis each author should be asked to follow an outline. (The Committee prepared and approved a model outline.)
4. The Board of Editors should be appointed by the Board of Governors and responsible to it.

At its October meeting the Board of Governors accepted this report and approved the plan for publishing a volume dealing with Umpire Systems in Mass Production Industries. The Board of Governors then appointed an Editorial Advisory Board consisting of the following individuals:

Saul Wallen	Lloyd Bailer
Morrison Handsaker	Jean T. McKelvey (secretary)

The designation of an Editor-in-Chief will also be made by the Board of Governors. It is hoped that work on the volume will be undertaken and pushed to completion within two years.

#### Final Recommendations

The Chairman would be derelict if she did not report some of the difficulties which an *ad hoc* committee encounters in this field. Because of shifting membership over the years it has not been possible for the Committee to lead other than a precarious existence. Many of the projects started by one committee are abandoned when a new committee begins to function. While changes in membership are desirable to provide fresh ideas and insights, some provision for continuity is desirable if long-term projects are to be undertaken. This

chairman would like to propose, therefore, that the Committee chairman be selected from among those who have been serving on the Committee, and that as a matter of custom the chairman co-opt some of the former members each year to serve as a nucleus for the new committee. The Board of Governors should also make arrangements for the deposit of Committee files in some central location—preferably the office of the Secretary.

### Acknowledgement

The Chairman would like to take this opportunity to thank the Committee, the Board, and the membership for the splendid cooperation they have given, and for their promptness in returning the innumerable questionnaires which have deluged them throughout this year.

Since we are meeting in Boston it is appropriate to conclude by pointing out that although nothing “revolutionary” has been accomplished by this “Committee of Correspondence,” nevertheless, some projects are almost finished and others are in progress. Their completion rests in the hands of the membership.

Jean T. McKelvey  
Chairman

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