

APPENDIX B

REPORT OF THE FUTURE DIRECTIONS COMMITTEE

I. Background and Scope of Report

The genesis of the present inquiry came in 1981 as President Edgar A. Jones, Jr. pondered the implications of the fact that only about a third of the membership of the Academy normally attends the annual meetings. In an eloquent column in the Academy newspaper, *The Chronicle*, Jones recalled the indispensable role that the annual meeting plays in the life of the Academy. He wondered if the habitual abstention of over half the members from participation in these meetings did not jeopardize the objectives of the organization: development of a sense of professionalism, a commitment to ethical standards, programs of continuing education, and the promotion of greater understanding of the arbitration process among the industrial community and the public at large.

Aside from the attainment of institutional objectives, Jones dwelled in a touching way on the rewards of personal friendship and camaraderie which are the by-products of the meetings: "These relationships of friendship and understanding, of shared experience, are deeply treasured possessions among which I sort spontaneously from time to time. Sometimes it

Co-chairmen of the Future Directions Committee were John E. Dunsford (1982-83) and William P. Murphy (1981-82). The district subcommittee chairmen were Martin A. Cohen, Thomas T. Roberts, James J. Sherman, and Rolf Valtin. Other members included Byron R. Abernethy, Reginald H. Alleyne, Frances Bairstow, Richard I. Bloch, Howard Block, Mario Bognanno, Howard D. Brown, Tia Schneider Denenberg, Alex Elson, Julius G. Getman, Lewis M. Gill, Edgar A. Jones, Jr., Edward McDaniel, Jean McKelvey, Eva Robins, Anthony V. Sinicropi, Edwin R. Teple, and Arnold M. Zack. The Committee wishes to express its sincere thanks for the special assistance received from Dallas Jones and Nancy Valtin. Law Student Kevin Borgard from St. Louis University was in charge of computerizing the data from the questionnaires. Administrative Assistant Stephanie Haley of St. Louis University did most of the manual compilation of data from the opinion questions. The report was discussed by the membership at the annual meeting in Quebec City in 1983. Its recommendations were approved by the Board of Governors on May 28, 1983.

occurs on the spur of a need to respond professionally to an unaccustomed situation that I recall having been discussed; sometimes it is simply during one of those heartwarming moments that we all unexpectedly experience when something occurs, utterly irrelevant to what is going on—a phrase, a movement, a look—that prompts an enjoyed remembrance (sometimes, a saddened one) of another time and place, a confidence shared, a debate engaged, laughter joined, a tale well told. No big thing; but nice, very nice.”

Though initially perceived as a problem of attendance at the annual meeting, the concerns generated in that regard gradually flowered into a number of other questions regarding the participation and involvement of members in all the activities of the organization. Are there better ways to organize the affairs of the Academy so that more members might be induced to be active?

With the enthusiastic endorsement of President-Elect Byron R. Abernethy, a Future Directions Committee was appointed to explore these matters and report back to the Academy. The Committee was formed during the summer of 1981 and began to plan its program of activity in the fall of that year under the leadership of co-chairman Murphy. Due to the large size of the committee which ultimately numbered twenty-five, it was necessary to operate through a smaller executive committee consisting of the two co-chairmen and four district subchairmen. References throughout this report to “the Committee” invariably mean this smaller group, although an effort was made to seek the counsel and suggestions of all members in structuring the work.

The four area subchairmen hammered out an 18-page questionnaire (appended to this report) which was mailed to members in the spring of 1982. A second mailing followed to those who were slow to respond. Through the fall of 1982 the Committee endeavored to make personal contact in the regions with those who had failed to respond, urging their participation. Following computerization of the data from the questionnaire returns, co-chairman Dunsford and the four district subchairmen met with President Abernethy in St. Louis for a weekend of intense work on December 10–12 to review the wealth of information and begin to formulate recommendations. A first draft of the report was prepared by co-chairman Dunsford and submitted for discussion and revisions at a meeting in Orlando,

Florida, on March 5-6. The final report was mailed to the membership approximately a month before the annual meeting in Quebec City.

As the universe for its questionnaire, the Committee chose the 595 members who were listed in the 1981-82 Academy directory. There were 391 completed questionnaires (66%) received from this group. In addition, 14 members submitted letters in lieu of answering questionnaires. The Committee was able to account for some 19 other members who were deceased, retired, ill, and so on. Thus, it may be said that 424 members out of the 595 (71%) were accounted for. Furthermore, a review of the names of those who qualify for a waiver of dues under present policy reveals that some 43 of the 84 members on that list did not respond. Assuming these 43 are presently inactive in the profession and hence reluctant to participate in the study, the total of those accounted for would rise to 467 out of 595 (79%).

In addition to discussing the annual and regional meetings, the present report considers such subjects as continuing education and seminars, committee activities, publications, and preservation of the Academy's heritage. A decision was deliberately made by the Committee not to get into fiscal matters in any significant way. Also, policy questions already under study elsewhere in the Academy were for the most part excluded.

II. Brief Profile of Membership

The demographics of membership are an important consideration in reviewing the issues discussed in this report. Based on the replies received from the 391 respondents, the average age of an Academy member is 59.2 (median age: 59 years, 3 months). This represents a slight increase from the most recent survey in 1974 when the average age was 58.4. It is perhaps noteworthy that in the earlier days of the organization, when the profession itself was quite young, the average age was quite different. A study in 1952 reported an average age of 49.7. In 1962 and 1969 this gradually climbed to 52.7 and 57.0.

Fully 19 percent of the present respondents are 70 years of age or older. About eight out of ten are 50 years or older. Only 5 percent are under 40, and slightly over 20 percent are under 50.

The chronological age of the members is to some degree reflective of arbitration experience. A quarter of those responding (26%) have been arbitrating for 30 years or longer. On the other hand, nearly 18 percent have been engaged in the profession for ten years or less (that is, started in 1972 or later). Virtually everyone who responded (96%) is still arbitrating.

A noticeable trend is the increasing number of members who are devoting full time, or a major part of their time, to the practice of arbitration. One hundred seventy-six of the respondents (46%) are full-time arbitrators; this compares with 205 who are part-timers (54%). In the most recent survey in 1973, only 36 percent were arbitrating full-time. The comparable figure in 1969 was 25 percent.

More than half of those responding (51%) indicated they spend over 75 percent of their time in arbitration. At the other end of the scale there is about a quarter (24%) who do not spend more than one-fourth of their time arbitrating. As a measure of comparison, it might be noted that in 1969 an Academy survey showed two out of three members (67%) were devoting 30 percent or less of their time to arbitration.

Teaching and the practice of law remain the major professional activities of members who are not full-time arbitrators. Twenty-nine percent of the respondents engage in teaching, while 13 percent practice law. Most of those who teach appear to devote substantial portions of their time to it. Thus, two-thirds of those who said they taught spend over 50 percent of their time at it. Only about one-third of those practicing law said that they spent over 50 percent of their time in that profession.

The academic background of 58 percent of the respondents (224) includes law, sometimes in combination with another discipline. Some 109 respondents (28%) listed economics as part of their academic background. Over 86 percent of the respondents report a background in either law, economics, industrial relations, or a combination of the three.

Over half of the respondents (206 of 391) come from seven states: New York (53), California (37), Pennsylvania (34), Ohio (25), Illinois (20), Michigan (19), and Massachusetts (18). Four other states account for an additional 53 respondents: Wisconsin (15), Missouri (14), Texas (13), and Kentucky (11). Together the eleven states provide 259 of the 391 respondents.

There has been a 49 percent growth in the membership of the Academy in the ten years from 1972 to 1982, an increase of

194 members in that span. There were 396 members in 1972 and 590 in 1982. This substantial growth is not too dissimilar from that of an earlier decade, 1952 to 1962, when the 124 new members who were added represented a 70 percent increase. There were 176 members in 1952 and 300 in 1962. In the intervening decade, 1962 to 1972, membership grew along more moderate lines by 32 percent, from 300 in the earlier year to 396 in the latter.

As a consequence of the rapid increase in membership over the past ten years, fully one-half of the respondents have been members of the Academy for only eight years or less. Approximately one-third of the respondents have been in the organization for less than five years. The response to the questionnaire was relatively greater by the newer members. Of those members admitted to the Academy after 1970, 72 percent replied to the questionnaire; of those admitted prior to 1971, 54 percent replied.

To summarize: the individuals in the Academy are on the average slightly older than in the past; there is a substantial percentage of relatively new members on the rolls; the number of full-time arbitrators is expanding steadily and constitutes over 46 percent of the total.

III. Attendance at Annual Meetings

Most professional organizations would be delighted, not to say overwhelmed, by the prospect of one-third of their membership appearing at annual conventions. From that perspective, the patterns of attendance at Academy meetings could be considered exemplary. Nevertheless, nearly six out of ten respondents agree that the Academy ought to be concerned about the fact that statistically two out of three members do not participate in the annual meetings. (Question 20)

The desire to encourage greater attendance is based in large part on an appreciation of the central role that the annual meeting plays not only in the functioning of the organization but in the development of the profession itself. As one member wrote, "Since the major activity of the Academy is the Annual Meeting, what is the point for membership for the two-thirds who do not attend?" The opportunity to improve one's professional skills, and the responsibility to contribute to the mutual

development of members of the group, are other reasons often cited for greater participation by the membership. On a personal level, the isolation of the arbitrator's life can subtly induce a dullness in performance and an erosion of a sense of professionalism. The annual meeting can help to renew a member's dedication to his craft.

However, nearly 40 percent of the respondents remain relatively unconcerned about the prevailing patterns of attendance. They do not, for the most part, question the advantages of participation in the annual meeting. Their indifference to the absenteeism is grounded in a recognition of the spiraling costs of travel and lodging, the multitude of personal reasons why members may not be able to make particular meetings (though they will attend others as convenience dictates), and the impracticality of devising acceptable measures to require more frequent attendance.

A suspicion is entertained by many respondents, whether they are concerned about attendance patterns or not, that certain members look upon their connection with the Academy solely as a means for securing a larger number of cases through the prestige of the organizational identification. If it were possible to discover and sift out the applicants for admission who possess this purely commercial viewpoint of Academy membership, many members would be disposed to prevent their attaining membership. It is recognized, however, that there are no reliable means for predicting in advance which members will actively strive to support the purposes of the organization and which members will not.

In reviewing the figures on attendance at annual meetings, one should resist the romantic and nostalgic notion that participation was much higher in the early days of the Academy. From the information that is available, attendance patterns appear to have been about the same through the history of the organization. At least there is no evidence of a steady decline in the number or percentage of members attending annual meetings in recent years.

The average percentage of membership in attendance at the annual meetings during the twelve years (1970-1981) which are listed in the questionnaire came out to 37. (Question 7) Statistically, the average annual membership over those 12 years was 450.6 and the average attendance per year was 166.6 persons.

Obviously there were wide variances from year to year, ranging from the 24 percent attending the Hawaii meeting in 1981 to the 44 percent at Boston in 1972 and New Orleans in 1978. Examining available figures for earlier years, one discovers that similar variations in attendance occurred. For example, only 31 percent of the membership attended the meeting in Cleveland in 1956. Perhaps the all time high point in participation was the Chicago meeting of 1963 when, according to minutes of the Board of Governors, some 53 percent of the membership was in attendance. Support for the view that the attendance patterns have not altered substantially through the years is found in the fact that in 1982 the meeting in Washington, D.C. (not listed in the questionnaire) drew 46 percent of the membership, about the equivalent of the 45 percent which attended the annual meeting in that same city in 1965.

While it is undoubtedly true that the choice of the city in which to hold the annual meeting can and does have an effect on the number in attendance, the Committee unanimously rejected the suggestion of scheduling the meeting in the same place year after year solely to maximize participation. That would be unfair to members who are far removed from the chosen location. Further, as reported below, the membership has strongly endorsed the present system of rotating the meeting sites among different regions of the country. (Question 21)

The fact that the attendance patterns at annual meetings have for many years reflected a showing of less than 50 percent of the membership may indicate something about the intractability of the problem of achieving wider participation. It does not, of course, necessarily afford a reason for ignoring it. The Committee shares the concern of a majority of the members about the absence of so many of our colleagues at the national meetings. In the hope of deepening its understanding of this phenomenon, the Committee studied the computerized data to see if it could determine whether there are some special identifiable characteristics attributable to the absentees. Are those not attending the annual meetings old members or new? Full-time or part-time arbitrators? Are they active in their regions? Are the same people missing the annual meetings every year, or is there a constantly changing cross section of the membership in attendance from year to year?

In undertaking an analysis of the annual attendance, one should first recognize that a number of members are no longer

active in arbitration, or are physically unable to attend meetings because of sickness or other similar reasons, or are temporarily engaged in other occupations. For example, 77 of 391 respondents spend 20 percent or less of their time in arbitration. If that proportion is projected to the entire membership, it represents 117 members who are relatively inactive in the practice. Along the same lines, the questionnaire data reveals that 32 of 74 respondents who are in the 70 to 84 age range have attended no more than two of the last twelve meetings. It is a distinct possibility that many of these 32 arbitrators may find travel burdensome due to age or infirmities. They represent 8 percent of the respondents, or 47 members if that percentage is applied to the entire membership. Still another index to the number of members who at any given time may be thought to be inactive in arbitration is the waiver list for dues payment. In a recent year this list numbered 84. Examining these various figures, the Committee is persuaded that at any given time at least as many as 100 members, or roughly one out of every six, may have good and sufficient reason not to be attending the annual meeting.

Turning to the main purpose of the inquiry, the data supports a finding that many of the same people in the Academy attend the annual meetings year after year, and regularly supply the solid core of participants for such events. On the other end of the spectrum there is another substantial group of members who hardly ever seem to attend a meeting. Thus, the hope that the attendance each year is made up of a shifting population, with every member going to a few meetings at least, is repudiated by the data.

Eighty respondents, 20 percent of those answering the questionnaire, have attended nine or more of the twelve meetings between 1970 and 1981. Nearly a third of the respondents (124, 32%) have attended at least half of those meetings, that is, six or more out of the twelve. When it is recalled that the average number of people in attendance during the twelve years was 166, it will be recognized that considerably more than half of the members at any given meeting are regularly drawn from this same group. Admittedly, these gross figures fail to take into account the fact that many of the respondents are relatively new members and therefore could not have attended some of the twelve meetings listed on the questionnaire. Once the year of admission is factored in, it appears that about 49 percent

(164 members through the admissions in 1980) are very active in the Academy as measured by attendance at 50 percent or more of the meetings they were eligible to attend as members.

On the other hand, eighteen percent (71) of the respondents did not attend a single one of the twelve meetings about which they were questioned. A third of the respondents (134) have attended no more than one of those twelve meetings. Again, it should be pointed out that some of the respondents were not members in all of those twelve years. Still, the statistics show that about one-third of the respondents have not attended a meeting in the last three years, although obviously everybody responding was eligible to attend at least one of those meetings.

To obtain a more accurate gauge of the degree of absenteeism, the returns from those who had become members by 1970 were examined. Theoretically, these 153 respondents were in a position to attend all of the twelve meetings mentioned in the questionnaire if they had desired. Nineteen of these 153 (12%) indicated that they had not attended any of the twelve meetings. Another 13 attended only one of the twelve meetings; another 10, two out of the twelve meetings. If an attendance record of only one out of six meetings is considered poor, there are over a quarter of this group (28%) who fall into that category. The brighter side of the picture is that 62 of these 153 respondents who had entered the Academy in 1970 or earlier attended nine or more of the twelve meetings, a percentage of 41.

A comparable type of analysis may be made for more recent years. Of the 192 respondents who were admitted to the Academy in the years 1971-1980 (excluding the Hawaii meeting) there are 33 or 17 percent who have never attended a single annual meeting. Another 38 have only attended one meeting in those ten years. This means that 71 (31%) of this group of members admitted in the 1971-1980 period attended no more than one meeting. Note again that for those respondents who entered the Academy in the latter part of this time span, there would have been an opportunity to attend only a few of these meetings. Even taking the year of admission into account, there are 41 of these 192 (21%) respondents who have attended less than one in four meetings for which they were eligible.

In the last six years covered by the study (1976-1981), 169 respondents were admitted to the Academy. Forty-five of this number have never attended an annual meeting. However,

18 of the 45 were admitted at the 1981 Hawaii meeting (the last of the twelve listed), and the travel distance may have accounted for their failure to appear. Looking only at the years 1976 to 1980 (excluding Hawaii), 27 of the 131 respondents (21%) admitted during those five years are still waiting to attend their first meeting. And in the last three years covered by the study exclusive of Hawaii (1978-1980), 29 percent of the responding new members (24 of 84) did not attend a single meeting.

After taking into consideration the number of meetings which a member could have attended in view of the date of his or her admission, a study of the data reveals that around 30 percent of the membership attend annual meetings quite irregularly, no more than one out of four times. By this gauge, these people might be considered to be inactive. At the same time it appears that perhaps 49 percent of the membership has been attending at least half of the annual meetings, one out of every two, a participation which the Committee considers quite good. Another 21 percent of the Academy population remains to be accounted for. These are members whose participation is spotty although they cannot be said to be totally inactive.

It would be comforting to think that those who are inactive at the national level are devoting proportionately more time to the Academy at the regional level. Unfortunately, this is not so. To the contrary, there appears to be a correlation between nonattendance at the regional meetings and nonattendance at the national meetings. For example, the 16 percent of the respondents who reported no attendance at regional meetings account for 29 percent of the group which did not attend any of the past twelve Academy meetings. A relationship of rather low attendance at both the national and regional levels seems to persist until a respondent is shown attending 30 to 40 percent of the regional meetings. By way of contrast, those attending a high percentage of regional meetings account for a high percentage of those who are extremely faithful at the national level (that is, present at nine of twelve meetings). For example, the 12 percent who attended half of their regional meetings account for 21 percent of those attending nine of twelve annual meetings.

Forty percent or 109 of the respondents admit that they attend a quarter or less of their regional meetings, which is not a very good record. Twenty-seven of these 109 (25%) have never attended a national meeting. Another 22 have attended only one annual meeting of the twelve listed, and another 11 have

attended two of the twelve. Thus, 55 percent of those who are poor in attendance in their regions have not been present at five out of six annual meetings. Even discounting this figure in consideration of those who were not eligible to attend all of the twelve meetings, it is still depressingly high. This correlation may also be examined from the opposite direction. Of the 110 respondents who have attended no more than two of the twelve annual meetings, 61 or 56 percent did not go to more than one out of three regional meetings. Twenty-three of these 110 (21%) acknowledge they do not attend regional meetings at all.

However difficult it is to quantify precisely, a significant portion of the membership which is surely not less than 20 percent and may be as high as a third is not attending the annual meetings with any kind of regularity. These members tend not to be very active at the local level either. However, the data does not afford a clear-cut identification of any special characteristics of the group of members who are in this category.

There is some correlation, but not a pronounced one, between attendance at the annual meetings and the status of the arbitrator as full-time or part-time. While full-time arbitrators represent 46 percent of the respondents, they account for only 30 percent of those who never have attended one of the annual meetings listed on the questionnaire. In comparison, the part-timers account for 54 percent of the respondents and they represent 70 percent of the perennial no-shows nationally. The full-timers represent 56 percent of those who have gone to nine or more of the twelve annual meetings, while the comparable figure for part-timers is 44 percent. On the other hand, shocking as it may seem, 20 of the arbitrators reporting that they have not attended any of the twelve meetings are full-timers.

Those members who are heavily engaged in teaching tend to be somewhat less active in Academy affairs than others. Ninety-three of the 391 respondents spend 50 percent or more of their time in teaching. Twenty-four of these 93 (26%) have never attended an annual meeting, and 53 of them (57%) have attended two meetings or less of the twelve listed on the survey. To keep the matter in perspective, it should be noted that 14 of these 93 (15%) have attended nine or more of the twelve national meetings.

On review of the data, the Committee is persuaded there are some members of the Academy who accept the privileges of

membership without participating in the organization to the degree and with the dedication that they should. While the Committee is concerned about this matter, however, it concluded rather early in its deliberations that any effort to mandate attendance at the annual meeting by punitive measures would be counterproductive. The only members who are likely to contribute significantly to the collegiality of the organization are those who are willing participants. One member noted wryly that he would not want to be present at meetings where others were forced to attend. The Committee therefore rejects as unacceptable and unrealistic any proposal that would condition continued membership on attendance at annual meetings with some stated frequency, such as every year, or once every three years, or something similar. While the motives behind such proposals are understandable, it is doubtful whether majority support could be mustered to expel or suspend those who would refuse to comply. Moreover, the administrative difficulties inherent in the implementation of such a plan are not to be underestimated, since inevitably close judgments would have to be exercised to excuse some absences which were legitimate.

In lieu of the stick, the Committee prefers to try the carrot. It seems reasonable to believe that if entering members are exposed to the experience of at least one annual meeting, at which they are given the opportunity to meet their fellow members and learn the heritage of the organization, they will be well placed on the road to becoming active members. Accordingly, the Committee has concluded that instead of requiring present members to attend any given number of meetings, the applicants of the future should be expected as part and parcel of their admission to the Academy to appear at their first annual meeting and be appropriately welcomed by the organization which they are joining. The hope is that by bestowing membership on an applicant appearing in person at an annual meeting, with greater attention and care being paid to the welcoming of the newcomer than has been shown in the past, the probabilities are that he or she will become an active and contributing member.

For an effective implementation of this proposal, some changes in existing procedures will be necessary. In the past the Board of Governors has received and considered nominations from the Membership Committee both at the mid-year meeting and on the occasion of the annual meeting itself. If an applicant is not going to be considered for membership until the week of

the annual meeting, however, he or she is faced with the dilemma of risking the possibility of rejection while in attendance at the meeting, or absorbing the disappointment of missing a formal induction by choosing not to come. To avoid that dilemma, and to assure that proper preparation is made for receiving those who are assuming the obligations of membership, the recommendation of the Committee is that nominations for membership be entertained by the Board of Governors only at its mid-year meeting.

The admission of a new member should be accompanied by welcoming ceremonies to signify the importance which the Academy attaches to it. At a minimum this should include special recognition activities, such as a welcoming breakfast for the new members attended and addressed by a Past President, and a reception line in their honor at the Members-Only party. Another proposal later in this report will deal with the subject of transmitting the heritage of the Academy to the new members as part of their induction. (See Recommendation 9.)

Recommendation

Membership in the Academy shall be conferred upon an applicant on the occasion of his or her attendance and presentation to the group at the business session of an Annual Meeting, following a vote of the Board of Governors upon recommendation of the Membership Committee. In order to prepare properly for the reception of new members, the Board of Governors shall entertain recommendations for admission only at its mid-year meeting. The induction ceremonies for new members shall include special recognition activities, such as a welcoming breakfast at which a Past President is speaker, and a reception line in their honor at the Members-Only party.

A second recommendation of the Committee focuses on the time at which the annual meeting is held. A number of comments were received from teachers in the Academy to the effect that the prevailing pattern of scheduling the annual meeting for April and May makes it difficult if not impossible for them to attend. Furthermore, some 24 percent of the respondents (94) listed as a factor causing them not to attend the annual meeting

the “lack of suitability of May as month in which to hold Annual Meeting.” (Question 10)

The early tradition of the organization was to hold the meetings in January. Although an attempt was made to plan the dates between the semesters of the academic calendar, some academicians began to complain about the inconvenience of the January dates. As a consequence a survey was taken by the Future Meeting Arrangements Committee ten or twelve years ago to test the sentiment of members regarding alternative dates. A majority of the members expressed a preference for April or May.

The Committee discussed the possibility of urging that the meeting once again be scheduled in January, but ultimately rejected that proposal because of a concern that it did not have sufficient information on which to proceed. A second suggestion that the first two weeks of June be reserved for the annual meeting was also reviewed and rejected, once again in the belief that the data necessary for a decision is not at hand.

Since Academy membership has increased by 49 percent in the past decade and there have been major changes in the academic calendars of most educational institutions, the Committee believes the time is ripe to poll the membership again on what dates are most acceptable for the annual meeting. In taking such a poll, care should be taken to ascertain when particular members will find it impossible to attend as well as the personal preferences of those who are free to attend throughout the year. The members should also be advised that if some different time of year is adopted for the future, three or four years of lead time will be necessary to implement a new policy inasmuch as the dates for some future meetings have already been contracted for.

Recommendation

The Board of Governors shall solicit the opinion of the membership of the Academy concerning the time of the year for holding the Annual Meeting which creates the least difficulty for all members to attend.

IV. Evaluation of the Annual Meeting

The questionnaire responses demonstrate a strong attachment for the traditional annual meeting by the membership.

While there are specific aspects of the meeting about which members may complain, as will be discussed below, the regard in which it is generally held is illustrated by the overwhelming rejection of any suggestion that multi-regional meetings might come to replace it. (Question 25) It is evident that for most people the annual meeting as it has evolved represents an important ingredient of their membership. In view of these attitudes, the Committee had no hesitancy in voting down a proposal that the frequency of these meetings be reduced in order to achieve higher attendance.

The factor most often checked as motivating a member to attend the annual meeting is the opportunity to socialize with fellow members. (Question 8) In descending order of importance other factors mentioned are the program subjects, the desire to keep up with developments in the labor relations field (as contrasted to arbitration itself), the special attractions of the host city, and the program speakers. Respondents emphatically registered their conviction that their expectations with respect to these factors have actually been realized in their attendance at the meetings. (Question 9) Those who through the years have been responsible for planning and staging the annual meetings are entitled to draw a large measure of satisfaction from these highly favorable responses.

Furthermore, when one looks at the returns to determine what factors cause people not to attend annual meetings, there is similar assurance that the meeting itself is thought to be excellent. (Question 10) Only a small percentage of members expressed any negative feeling about the program subjects or speakers. The factor most discouraging respondents from attending the meetings is the cost of transportation, a subject over which the organization has no control (except to a degree in the choice of site, discussed above).

A quarter (98) of the respondents (25%) also mentioned hotel costs as a factor deterring their attendance at the meetings, while 11 percent (42) referred to the registration fee. These items, of course, raise the issue of the ambiance of the meetings and the determination to keep them first class. There is a split of opinion among the membership with respect to the luxury which has come to surround the meetings. Each year the Committee on Future Meeting Arrangements and the local Arrangements Committee are striving to make the next meeting even better and more pleasurable than the last. As a result from time to time

complaints are voiced that the meetings are becoming too posh. Nearly everyone is in agreement that caution constantly should be exercised to avoid excesses. At the same time a majority of those commenting on this matter (Question 21) expressed support for the basic objective of maintaining the tradition of first-class hotels and elegant surroundings. Seventy-three members said that they approved of the ambiance of the meetings, while forty-four expressed disapproval.

The Committee considered the possibility of recommending that the meetings be held in other than first-class facilities. This would be done to effect savings and presumably draw more members. The economy would be found in hotel charges and meal expenses. It is the Committee's estimate that the overall savings for attendance at a four-day meeting would approximate \$150. The Committee judged that this potential reduction in costs was not of a magnitude to be controlling in the decision of most members whether or not to attend a national meeting once a year. And there is, of course, a real risk of inferior service at lower-class hotels.

In this connection one must also recognize that if some additional members would be attracted to the meeting by the reduced costs of other than first-class hotels, others who are now attending might very well be lost as a result of the downgrading of the facilities. It is, on balance, doubtful that economies achieved through the choice of the convention hotel would produce a higher attendance. Finally, some consideration should be given to the fact that over the years the costs of the hotel selected by the Committee on Future Meeting Arrangements have usually represented good value, even when the tariffs have been substantial. For all these reasons, the Committee after considerable discussion decided not to recommend any change in the existing practice.

Some 28 negative comments about the Friday dinner dance were recorded in the survey. Those members who do not care for dancing complain about the volume of the music which prevents normal dinner conversation. Others object that they find the expense of the dinner excessive and unnecessary, particularly as they have no desire to attend a social event at the conclusion of the meeting. While the Committee sympathizes with the individuals for whom this event is not particularly appealing, the majority of Academy members apparently still find it a pleasant and appropriate way to climax the meeting.

The Committee discussed whether it ought to recommend that the dinner dance be made optional, as far as its inclusion in the registration fee is concerned. One practical difficulty with such a suggestion is that it threatens to fragment the program by setting a precedent under which individual members will pick and choose only those parts of the meeting they wish to support. No doubt each member has a different part of the program he or she would like to excise. Since the data reflects a clear sentiment in favor of the social opportunity that goes with the traditional banquet, the Committee voted against either abandoning the dinner dance and ending the meeting at 5 p.m. on Friday, or making the dinner dance an optional item of cost in registration. Another possible cost-cutting measure which the Committee examined but decided to reject was a proposal to reduce the number of business luncheons from two to one. Such a change remains in the discretion of the program committee each year, of course, but the Committee did not think it should be mandated solely for reasons of economy.

The prevailing policy of rotating the site of the meeting among four different sections of the country, with the fifth year a "wild card" or resort setting, received decisive approval from the respondents. There were only 8 votes to change this policy, against the 126 cast for it. Only 13 members said that they would eliminate the "wild card." The length of the annual meeting was also deemed to be "about right" by most of the members responding to the questionnaire. There were 66 votes to keep the length of the meeting as it is, with 20 in favor of shortening it and 5 wanting to extend it. Virtually no support was shown for a proposal to have the Academy produce expensive program brochures advertising the meeting to members, the vote being 119 to 14 against. (Question 21)

A recurring question of policy concerning the annual meeting is whether nonmembers should be excluded from participation. The argument is made that the ever increasing numbers of nonmembers who register for the meetings tend to inhibit frank discussion among arbitrators, and also detract from the fellowship and socializing of members. It is not entirely clear when the decision to invite representatives of the parties to the annual meetings was first made, or if it was ever formally deliberated. In the early days of the Academy the profession had few if any established authorities, and hence anyone who was knowledgeable about the process might be invited to attend the meetings of

the fledgling organization. Through the years the number of outsiders has grown, as one generation of the parties' representatives succeeded another. Sentiment in the Academy seems to be closely divided over whether the annual meeting should remain open to those who are not arbitrators or invited speakers. Seventy-one members expressed themselves in favor of keeping the existing format in which nonmembers are welcome on the last two days of the meeting. Forty-eight members voted to exclude the representatives of the parties and other outsiders. There are 28 respondents who would reduce the number of days on which the nonmembers are in attendance.

In its deliberations the Committee came to the conclusion that the advantages of having the representatives of the parties present on the final few days of the meeting far outweigh any disadvantages. Beyond that, in the opinion of the Committee there are compelling affirmative reasons to welcome the attendance of those who speak for management and labor. In the first place, the arbitrator is merely one part of the process designed to produce industrial justice. To exclude from the annual meetings those who are equally responsible for its success would seriously handicap the Academy's efforts to promote the development and the improvement of the process. Further, by virtue of their quality the annual meetings of the Academy have become the institutional embodiment of the ideals and standards of the profession, a source of inspiration and instruction for those who are new to the field. Arbitration itself would suffer if the parties were denied access to this source. It should not be forgotten that much of the excitement and illumination of the meeting comes from the exchanges between those who are serving as private judges and those who are engaged in representing the interests of the parties. The arbitrator can learn from the parties, who have their own special insights, attitudes, and perceptions of the process. Mutual problems can be explored and ventilated, to the benefit of all concerned. For arbitrators as a group to reject these opportunities for dialogue and debate would, in the opinion of the Committee, be unfortunate in terms of their own personal growth as well as that of the process.

In reaching its judgment that the Academy should continue to invite nonmembers to attend annual meetings under the format currently in effect, the Committee appreciates the desire of many members for periods of deliberation and socializing where only arbitrators are present. This is certainly a legitimate objec-

tive. In part this need is already met by the Members-Only sessions of the annual meeting. And in further satisfaction of this objective there is a Committee recommendation later in the present report for an annual continuing education program which would be confined to Academy members.

While, as mentioned above, the vast majority of respondents find the programs at the annual meeting to be quite satisfactory, the Committee did discuss two suggestions for possible improvement. One of them envisioned the creation of a standing program committee staffed with a carefully selected membership to plan ahead for two or three years, so that continuity and balance may be built into the presentations at the meetings. At first glance the Committee found this suggestion very attractive, since it promises a long-range view of program coverage and perhaps even the initiation of subsidized research in topics of interest to members. On further discussion and reflection, however, the Committee voted to reject this proposal. It was recalled that a Program Resources Committee had been tried in the past, with objectives similar to the present suggestion. The experience with that venture was not encouraging. Furthermore, the Committee began to wonder if the benefits promised by the proposal will not prove to be somewhat illusory, since long-range projections of subjects for coverage are notoriously easy to make but often lack the concrete definition of an assigned paper which only the imminence of a deadline brings. Finally, and most important, the Committee believes that the present practice of entrusting each year's program to the leadership of a different individual designated by the President as Chairman or Chairwoman of the Program Committee insures an annual infusion of fresh enthusiasm for the project and focuses responsibility for its success. There is a risk of losing some or all of these benefits by changing to a long-range committee system.

The second subject of discussion by the Committee was the occasional complaint that the same people appear over and over on the speaker's platform. The solid endorsement given by the membership to the quality of the past programs suggests that this complaint is considerably overstated. Nevertheless, the Committee did consider whether there ought to be a rule requiring that some specified percentage of those appearing on each program be "new faces," or whether the program committee should be instructed to solicit the membership about papers for presentation at the meeting. After reviewing these suggestions

the Committee voted to reject them as too cumbersome. Such requirements would tend unduly to burden the Program Chairman or Chairwoman.

However, the Committee did react favorably to a suggestion that an "open forum" type of programming be encouraged in the Members-Only portion of the annual meeting. Members would be invited to submit proposals for papers, theses, or discussion topics for potential presentation. Responsibility for the implementation of this recommendation would be placed in the hands of the Program Committee, which would set a deadline for the submissions and decide which, if any, of the proposals should be scheduled.

Recommendation

The Program Committee shall allocate a portion of a day during the Members-Only sessions of the Annual Meeting for the presentation of papers, theses, or discussion topics proposed by individual members. This shall be considered an "open forum" type of programming, subject to the Program Committee's earlier review and acceptance of the proposals. To receive consideration, any such proposal shall be submitted by a member or members in writing to the Program Committee for approval no later than six months before the first day of the Annual Meeting.

V. The Regions of the Academy

There are currently seventeen separate and numbered regions in the Academy, the exact boundaries of which are not always clear in the minds of their members. Forty-nine respondents (13%) were either unable or unwilling to designate the region to which they belong. At some point the Board of Governors may wish to review the appropriateness of the number and boundaries of the regions in the light of increases and geographic shifts in membership. While the Committee discussed the possibility of allowing individual regions to set their own boundaries, this was finally rejected as being potentially too disruptive of organizational interests.

Nearly every region offers at least one meeting a year for members. Only 32 of the respondents (9%) reported that a meeting was never offered in their area. Most commonly,

regional meetings are held only once or twice a year. Forty percent of those answering (115) estimated the approximate frequency as one, and another 23 percent (67) put the figure at two. Apparently there are a few regions which meet every month, or every two months. Slightly over 20 percent of those responding (60) set the frequency of regional meetings in a range from five to twelve a year. A typical regional meeting as described by the respondents (Question 13) includes a combination of speakers, opportunity for discussion by members, and socializing.

Given the opportunity to make suggestions for improving attendance at regional meetings (Question 24), 57 members emphasized the importance of the adequacy of advance notice. Thirty-four reported that in their region the timing of the notice could be improved, while another 27 said that the notice was adequate. A majority of those responding (56 to 34) expressed a preference for a structured rather than an informal meeting, while a plurality of the voters (47) chose the all-day session as more desirable than either a dinner meeting (17), luncheon meeting (17), or multi-day sessions (18). With respect to the suggestion that speeches and discussions in one region might be recorded for distribution in other regions, the vote was slightly in the negative, 39 to 37, with 12 members expressing reservations about the idea because of the cost.

The frequency of attendance at regional meetings by members ranges over the entire spectrum. While 72 of the 268 respondents (27%) attended almost every meeting that was scheduled (that is, a frequency of attendance over 90 percent for the past five years), another 75 respondents (28%) hardly ever went to a regional meeting (that is, a frequency of attendance of less than 6 percent over the past five years). Forty-four percent of the respondents attended less than half of the regional meetings. On the other hand, about 40 percent (110 of 268) were present for two out of three meetings.

Respondents emphatically turned down (133 to 62) the idea of multi-regional meetings substituting for those of the regions. For that matter, they also manifested a generally dubious attitude toward the desirability of multi-regional meetings. (Question 25) However, in regard to the latter subject, the Committee believes that the heavily negative note may have been partially induced by the manner in which the question is worded. If a member simply answered "No" to Question 25, that was

taken by the person making the manual tally as a vote against multi-regional meetings. In many instances, however, this negative vote may merely have meant that the member did not favor a replacement of either the annual or the regional meeting by a multi-regional arrangement. In the Committee's judgment, therefore, the results of the tally probably exaggerate the extent of negative feeling about multi-regional meetings.

On another matter of substance, a majority of those voting (52 to 29) gave an affirmative answer to the question whether the Regional Chairman or Chairwoman should be elected by local members rather than be appointed by the President as is presently done. (Question 24) The Committee also supports that position and recommends that the Academy make such a change. The problem in the past, particularly in smaller regions, has more often been one of locating a member who was willing to assume the responsibility of the chair than choosing among rival candidates for the job. Nevertheless, the Committee believes that with the growth in membership of the Academy and the increasing importance of the role of the regions, the option at least ought to be extended to those regions which desire to choose their own leader by an election. To guard against the chance that some regions may not find it expedient to handle their affairs in this way, the recommendation of the Committee calls for continued appointment by the President in those regions where a report of an election is not communicated to the President-Elect by the time of the annual meeting.

Recommendation

The members of each region shall elect their own Chairman or Chairwoman every year and report the name of the person chosen to the President-Elect of the Academy before the start of the business session at the Annual Meeting. If an election has not been held and a report communicated to the President-Elect by that time, the President-Elect shall appoint a person in that region to serve as Chairman or Chairwoman for that year.

VI. Continuing Education and Seminars

Two of the purposes of the Academy, as stated in its Constitution, are to foster the highest standards of competence among

those engaged in the arbitration profession and to "promote the study and understanding of the arbitration of labor-management disputes." The annual meeting itself is designed to aid in the achievement of those two purposes. In addition, the Academy has always encouraged a variety of programs of continuing education for its members both at the national and regional level. For example, portions of the Members-Only sessions at the annual meetings have been devoted to such endeavors.

In 1977 Presidents Arthur Stark and Richard Mittenthal jointly announced a two-year plan to cover the period of their incumbencies, one of the objectives being "to enhance arbitral competency through a systematic program of continuing education." The Committee on Research and Education was asked to prepare an outline of subjects for study and to recruit qualified discussion leaders, looking toward the distribution of educational materials to the regions and the scheduling of seminars throughout the country. Subsequently a Subcommittee on Continuing Education was formed to aid in the undertaking.

In the five years since the Stark-Mittenthal initiative was launched, about a dozen discussion guides have been prepared and made available to the membership on such subjects as discipline and remedy, evidence, job evaluation, tripartite panels, office administration, federal sector, deciding the case, and external law. In addition several seminars have been scheduled each year, in four of which transcripts were taken for later distribution to interested members. These seminars have treated not only the conventional subjects but have ventured into such fields as mediation, specialized medical problems in arbitration, and the art of opinion writing. An educational tour was arranged for those members who wished to study the industrial relations systems of Australia and New Zealand. This year a similar trip was taken to China. Recently a videotape on evidence was prepared.

About a quarter of those answering the questionnaire (92 members) reported that they had attended one of these seminars held at a time other than an annual or regional meeting. (Question 18) This means that nearly three out of four members (286) did not attend any of the seminars. These respondents listed cost (46), location (44), and content of the programs (32) as the leading reasons for their nonattendance. Nevertheless, the opinion of the members in general concerning the quality of these seminars is very high. Some 75 percent of

those expressing an opinion on the matter (99 of 132) were favorable to the seminar activities. (Question 30) This affirmative opinion was substantially the same whether or not the member had actually attended one of the seminars.

Some of the seminars have been held in resort areas such as Bermuda, Clearwater Beach, Lake Tahoe, and the Poconos. This scheduling has undoubtedly been attractive to some members but others have complained that the sites of the meetings were too remote for convenient attendance. In their response to the question of whether the seminars have been held in appropriate locations, the members predictably tended to divide in opinion between those who had actually participated in one of these educational programs and those who had not. Those who said they had attended a seminar registered very little complaint about their location (a favorable vote of 24 to 9). However, those who had not attended said they thought the choice of locations was poor (39 to 12). A similar division manifested itself on the subject of whether Academy funds should be expended to support such activities. A majority of those (25 to 13) who have enrolled in seminars would be willing to expend Academy funds on them; a majority who have not attended (43 to 21) would not. (Question 30)

In the judgment of the Committee, the educational materials which have been developed since 1977 are excellent. The members who have helped to produce these materials have made an important contribution to the Academy. Moreover, the quality of the seminar offerings themselves has by all reports been outstanding. The sole concern of the Committee with the present system of educational offerings is that it does not appear to be reaching enough members. While it is true that distribution of the seminar transcripts makes an impact far beyond the actual number of members enrolling in the sessions, the fact remains that in some instances the attendance at particular seminars has been extremely low.

Conceding the validity of the comments made by some members that the arbitrators who enter the Academy are presumably trained and accomplished professionals, the Committee still believes that the need for continuing education is a real one. Assuming a high level of competence on the part of those who are members, the objective of a system of continuing education is to raise standards where possible to ever higher levels, and to introduce members to new fields with which they may not be

very familiar. It has been aptly stated that the difference between a trade association and a profession is that the latter seeks to maintain and improve its standards of performance. In view of the priority which the Committee attaches to these goals, it concludes that the Academy is justified in expending a reasonable amount of funds for these purposes, particularly if there is a likelihood that a larger number of members may share in the benefits.

In place of the present effort to schedule seminars at various points around the country, the Committee recommends that the Academy sponsor a national continuing education conference open to all members each fall. To encourage the maximum attendance, the meeting should be held in a central geographic location, for example, Chicago, on a weekend. Early announcement of the dates of the meeting would give some members an opportunity to make travel plans in conjunction with their scheduling of cases. To plan the details of such an annual conference and arrange for the program and speakers, a new committee or subcommittee may have to be formed or perhaps the work could be assigned to an existing committee. In making this recommendation, the Committee points out that the restriction of this fall meeting to members only will partially satisfy the complaints of those who object to the public character of the annual meeting, giving them a chance to socialize exclusively with their colleagues over this weekend.

Recommendation

The Academy shall sponsor in the fall of each year a national continuing education program for members only, to be held on a weekend (Saturday and Sunday) in a central geographic location easily accessible by air.

The implementation of this recommendation would by no means preclude the development of special seminars during other times of the year. However, it is the intention of the Committee that the bulk of any funding provided by the Academy in support of continuing education should be devoted to this national meeting. Special seminars would be expected to be self-supporting for the most part.

Other possible methods of encouraging the continuing education of members include the development of more discussion guides, and the production of video tapes, cassettes, and

assorted educational aids. The Committee notes that the discussion guides are used by half of those members responding, and were given a top priority by 65 members when rated against other publications of the organization. (Questions 19, 32) An even greater use of these guides should be encouraged on the part of both the regions and individuals.

A slight majority of the respondents (177 to 160) voted against the expenditure of Academy funds for the development of visual and other educational aids such as tapes and cassettes. (Question 31) Despite the failure of respondents to approve the subsidization of these educational tools, the Committee believes that the Academy should study the feasibility of making such items available to members on a self-sustaining basis. Furthermore, in view of its closeness, the vote on the question of the expenditure of funds need not be interpreted as a permanent rejection of every specific endeavor along these lines. While it is clear that a majority of respondents are giving an admonition to proceed very cautiously in the use of Academy monies in this area, individual proposals might still be considered on their merits by the Board of Governors in the future.

VII. Committee Activities

The work of the Academy, as in most organizations, is done through its committees. An appointment to one of these committees provides an opportunity for a member to become more closely acquainted with his or her colleagues in the Academy, as well as to participate in the activities of the organization. One of the strongest correlations to be found in the survey data exists between the service on a committee and attendance at the annual meetings. Ninety-eight percent of those who have attended nine or more meetings have served on a committee; seventy-six percent of those who have not attended any of the twelve meetings have also never served on a committee. In the 1981-82 directory there were seventeen separate committees listed exclusive of officers, members of the Board of Governors, and regional chairs. Almost 200 members served on one or another of these committees. To encourage greater participation members have been asked for the past several years to fill out a form indicating to the President-Elect the committees on which they desired to serve.

Returns from the questionnaire show that 244 of the respondents (63%) have served on a committee since becoming a member of the Academy. Of particular interest is the fact that only 14 of those responding (4%) said that they had expressed an interest in committee service but were never asked to serve. (Questions 14, 15, 16) These figures justify an inference that nearly all who have expressed an interest in committee work have been accommodated by an appointment. Furthermore, the committees are perceived as active by 80 percent of the respondents (167 to 42) and as offering an opportunity for meaningful participation by those who are appointed to them (169 to 38). (Question 28) Finally, in seeming contradiction of the periodic gripe that the Academy is an elitist organization run by a small clique, an overwhelming 85 percent of those who answered (208 to 38) expressed the conviction that the committees have an effective voice in the formulation of Academy policy decisions.

Although the survey reflects a healthy and thriving system of committees, there is still room for concern that some members of the organization who may be willing to contribute are not being encouraged to do so. After all, over a third of the respondents (143) say they have never served on a committee. While only 14 members said they had been ignored after expressing an interest in committee work, 56 others reported that they had never been asked to serve. Together these 70 respondents (18% of the total) may represent a group of members who are willing to participate in the organization's work if given the right inducement.

The Committee debated whether, in order to assure the widest participation in Academy affairs, a recommendation should be made that some minimum number such as 10 percent of the roster of every committee be composed of those who have never served on any committee. Following a discussion of this proposal the Committee voted to reject it as too inflexible. The observation of the Committee is that the Presidents of the Academy have been highly sensitive to the need to make appointments of new members on a steady and systematic basis. Rather than prescribe any rigid rule to be followed in this regard, the Committee voted to make a recommendation designed to help supply the appointing President with greater information about which members have never served on a committee. This can be done by adding a question to the form which is distributed each

year in canvassing the membership for committee preferences.

Such a recommendation is consistent with the opinion of the respondents. While they overwhelmingly favor (309 to 50) the present practice of canvassing the members about their preference for committee service, respondents also believe that an incoming President should have a free hand in making appointments (304 to 28). At the same time it is the majority view that in principle Academy Presidents should make room on each committee for the appointment of new members (224 to 124). (Question 26)

Recommendation

When members are canvassed each year about preferences for committee service the form shall include the question whether the member has ever served on any committee in the past. In making assignments to committees the President shall make an earnest effort to appoint some of those members who are without prior service.

VIII. Publications

Foremost among the written materials bearing the Academy's name are the published volumes covering the annual meetings. These books, now numbering 29, are often praised as containing some of the best literature in the entire field of labor arbitration. They are a staple of any respectable library on arbitration. If the Academy as an organization had done nothing but generate these volumes in the years of its existence, it still would be hailed as having made a fundamental contribution to the field. The proceedings, frequently the starting point for scholars in their research on arbitration, serve as a permanent repository for some of the richest thought in the development of the profession. They are, by turns, informative, analytical, thought-provoking, and inspiring. If there is scant evidence that the members wish to depart from the basic format of the annual meeting, there is even less indication that members have complaints about the published proceedings. A staggering 96 percent of the respondents answering the question (364 out of 379) reported that they used the annual volumes as educational materials, a striking testimonial to their value.

Practically all of the other publications of the Academy also received high marks from respondents. Nine out of ten respondents (311 of 346) said that they are readers of the Academy newspaper, *The Chronicle*. Although the cost of this publication averages around \$7000 a year, the expense seems justified in view of the wide readership and the diverse services which this publication provides. To be sure, there are members who cite particular aspects of *The Chronicle* coverage which they feel are subject to criticism. The Committee concluded that it was beyond its competence or authority to evaluate these complaints, feeling that such matters are best left to the judgment of the editorial staff itself or to the governing agencies of the organization.

The present arrangement is to appoint an Editorial Committee, three members of which take turns being the editor of *The Chronicle* over a three-year period. It appears that this system is working reasonably well, and no good reason has been advanced for changing it. The stated goal of the editors is to produce three issues a year, an objective which the Committee commends and supports. The warm reception accorded to the paper gives assurance that members would welcome a regular schedule of three issues per year rather than the two which have sometimes been printed in the past.

Committee Reports are heavily used by the membership, as evidenced by the 91 percent of respondents (299 of 329) who find them to be worthwhile reading. Although the Discussion Guides and Seminar Transcripts, which are products of the continuing education program, do not receive as high a rating as the other publications, they also enjoy substantial usage. Fifty percent of those replying (120 of 238) utilize the Discussion Guides, while forty-four percent (106 of 240) use the Seminar Transcripts. (Question 19).

For purposes of allocating Academy funds it may sometimes be necessary to set priorities among the newspaper, Committee Reports, and educational aids from the seminars. In response to a question about what the priorities should be, the members produced a ranking with which the Committee cannot disagree. (Question 32) The two most popular of these publications are *The Chronicle* and the Committee Reports. Over 55 percent of the respondents listed those two publications either first or second. In setting priorities, the Discussion Guides were ranked third overall and the Seminar Transcripts fourth. It is perhaps worth noting that the reproduction of the transcripts and guides to

fulfill the requests of members for copies of these materials has cost the Academy \$11,000 since 1978. This figure does not include mailing costs. If on some future date the Board of Governors is forced to decide that a part of the cost of Academy publications must be borne by the individual users, these last two items would seem to be prime candidates for consideration.

At one time the report of the Law and Legislation Committee was a lengthy survey of current cases and legislative action deemed of probable interest to Academy members, personally prepared by the Chair or a subcommittee. As time went on, however, the task of preparing a summary of recent legal developments was contracted out to a practicing lawyer or to law students under the supervision of an Academy member. Finally, in recent years the Law and Legislation Committee has simply obtained permission from the American Bar Association to reprint the work of one of its committees, the Report of the Committee on Labor Arbitration and the Law of Collective-Bargaining Agreements. Respondents signified by a heavy vote (291 to 57) that they considered the Law and Legislation report to be a particularly important educational aid. By a comparable margin (211 to 26) they also expressed their satisfaction with the reprint of the ABA report as a substitute for an Academy-prepared document. At the same time 33 of the members volunteered the suggestion that the ABA report be supplemented by comments from members of the Law and Legislation Committee. (Question 33)

While the questionnaire response unequivocally establishes that the ABA report should continue to be distributed as the prime vehicle for keeping members up to date on legal developments, the Committee ventures to suggest that the Law and Legislation Committee ought to supplement the report with selected commentary on a few of the more significant developments. Granting the value of the ABA summary, the special perspective of Academy members would undoubtedly be of keen interest to their colleagues. Beyond that, the opportunity for Law and Legislation Committee members to contribute their own personal analysis of the more important judicial opinions may spark greater interest in service on that committee.

Recommendation

The purposes served by the traditional Law and Legislation report are met in a satisfactory way by the

reprinting and distribution of the Report of the Committee on Labor Arbitration and the Law of Collective-Bargaining Agreements of the American Bar Association. However, the Law and Legislation Committee shall supplement the ABA report with written commentary on selected developments deemed to be of particular significance or interest.

Discussing other areas in which new Academy publications might be contemplated, the Committee considered two proposals but approved only one. The first concerned the availability of guidance on ethical questions. It is believed that the number of opinions issued by the Committee on Professional Responsibility and Grievances has reached a point that calls for bringing them together in some convenient format, with distribution to the membership and others who are interested. Accordingly, this is made a recommendation of the Committee.

Recommendation

The Academy shall arrange for the publication in booklet or loose-leaf form of the past opinions of the Committee on Professional Responsibility and Grievances for distribution to the members.

A second proposal triggering interest among some members of the Committee dealt with the Academy's undertaking to publish a journal devoted to labor arbitration, with articles and commentary solicited primarily if not exclusively from members. Though *The Chronicle* does publish columns and articles by members on substantive subjects, its main function is that of a newspaper. There is, of course, a considerable number of respectable arbitration journals already in the field and the query must therefore be posed whether an additional one is necessary or desirable. On the other hand, the publication of a journal would give interested members another mode of expression and activity within the organization. Written exchanges between members could keep the spirit of the annual meeting alive throughout the year. While the Committee agreed that the proposal for a journal was worthy of further consideration, it was unwilling to make a recommendation. A feeling that the time may not be ripe, and the belief that ventures of this nature usually develop only when particular individuals come

forward to volunteer their services, are the primary reasons for the Committee's diffidence.

IX. Preserving the Heritage of the Academy

As the organization has grown older and larger, a danger perceived by many members is that the Academy may lose a sense of its heritage. There is apprehension on the part of some that the organization is slowly changing direction, tending to become more like a trade association than a genuine professional organization devoted to preserving and improving the craft of arbitration. With the substantial influx of new members in recent years, their induction into the traditions of the Academy has certainly not become any easier.

The Committee believes that greater time and effort should be paid to acquainting new members with the history of the organization. In some instances an applicant for membership merely knows that entry into the Academy is an essential step to personal recognition, without sufficiently appreciating the goals and objectives of the organization. In the Committee's judgment, it would be helpful to have a formal orientation program for new members on the occasion of their first annual meeting. While this recommendation obviously is related to the earlier section of the report dealing with the subject of attendance at the annual meeting, it is submitted at this point to stress the importance of passing on the organization's heritage of excellence from one generation to another.

Recommendation

A committee shall be established to prepare an orientation program for those about to become members, to be presented on the day before the business session of the Annual Meeting, covering such topics as the purpose and heritage of the Academy, opportunities for continuing education, the work of the several committees, and the Code of Professional Responsibility.

Another possible method of promoting an understanding of the heritage of the Academy would be the distribution to applicants for membership of a brochure setting forth its history and objectives. The respondents to the questionnaire approved such an idea, but by a relatively close vote of 190 to 164. (Question 34)

The Committee is not convinced that such a brochure would be a particularly effective way of generating greater participation in the organization. Considering some of the negative comments made by members and the cost of such an enterprise in comparison to the likely benefits, the Committee is not disposed to recommend the publication of such a brochure at this time.

At some stage, thought should be given to the writing of a history of the organization. The precise form that such a project might take—for example, the subsidization of a professional writer, the encouragement of interest on the part of academicians, the organization and planning of a book jointly written by a number of contributors—is open to the widest discussion. Rather than urge that any concrete or immediate action be taken on this matter, the Committee prefers to emphasize the need for a systematic search, collection, and retention of relevant materials of interest regarding the Academy's development, pending the day when the preparation of a history may be undertaken. While the Subcommittee on Oral History (now defunct) has done a good job in collecting the testimony of some of the founders and early leaders of the Academy with respect to the emergence of the arbitration process, there is an acute need to begin gathering and preserving similar information about the history of the organization itself from the earliest times until today.

Recommendation

A committee shall be given the responsibility of actively gathering and preserving documents, photos, information of all sorts, and personal reminiscences of the origin, development, and heritage of the Academy, looking toward an ultimate utilization of such materials in a history or histories of the organization.

Recommendations of the Future Directions Committee

1. Membership in the Academy shall be conferred upon an applicant on the occasion of his or her attendance and presentation at the business session of an Annual Meeting, following a vote of the Board of Governors upon recommendation of the

Membership Committee. In order to prepare properly for the reception of new members, the Board of Governors shall entertain recommendations for admission only at its mid-year (Fall) meeting. The induction ceremonies for new members shall include special recognition activities, such as a welcoming breakfast at which a Past President is speaker, and a reception line in their honor at the Members-Only party.

2. The Board of Governors shall solicit the opinion of the membership of the Academy concerning the time of the year for holding the Annual Meeting which creates the least difficulty for all members to attend.

3. The Program Committee shall allocate a portion of a day during the Members-Only sessions of the Annual Meeting for the presentation of papers, theses, or discussion topics proposed by individual members. This shall be considered an "open forum" type of programming subject to the Program Committee's earlier review and acceptance of the proposals. To receive consideration, any such proposal shall be submitted by a member or members in writing to the Program Committee for approval no later than six months before the first day of the Annual Meeting.

4. The members of each region shall elect their own Chairman or Chairwoman every year and report the name of the person chosen to the President-Elect of the Academy before the start of the business session at the Annual Meeting. If an election has not been held and a report communicated to the President-Elect by that time, the President-Elect shall appoint a person in that region to serve as Chairman or Chairwoman for that year.

5. The Academy shall sponsor in the fall of each year a national continuing education program for members only, to be held on a weekend (Saturday and Sunday) in a central geographic location easily accessible by air.

6. When members are canvassed each year about preferences for committee service the form shall include the question whether the member has ever served on any committee in the past. In making assignments to committees the President shall make an earnest effort to appoint some of those members who are without prior service.

7. The purposes served by the traditional Law and Legislation report are met in a satisfactory way by the reprinting and distribution of the Report of the Committee on Labor Arbitration and the Law of Collective-Bargaining Agreements of the American Bar Association. However, the Law and Legislation Committee shall supplement the ABA report with written commentary on selected developments deemed to be of particular significance or interest.

8. The Academy shall arrange for the publication in booklet or loose-leaf form of the past opinions of the Committee on Professional Responsibility and Grievances for distribution to the members.

9. A committee shall be established to prepare an orientation program for those about to become members, to be presented on the day before the business session of the Annual Meeting, covering such topics as the purpose and heritage of the Academy, opportunities for continuing education, the work of the several committees, and the Code of Professional Responsibility.

10. A committee shall be given the responsibility of actively gathering and preserving documents, photos, information of all sorts, and personal reminiscences of the origin, development, and heritage of the Academy, looking toward an ultimate utilization of such material in a history or histories of the organization.

Attachment: The Questionnaire and the Data Processing Procedure

The Committee used the following questionnaire which consisted of 36 questions, most of which are reproduced below using the numbering system employed in the survey. These questions were broken down into 120 subquestions for purposes of data processing. For instance, question one on the questionnaire consisted of two subquestions: "In what year did you first arbitrate?" and "Do you still arbitrate?" Each subquestion was assigned a series of one or two digit numbers—depending upon the number of possible responses. For example, on question two, each state of the Union and each Canadian province was assigned a unique two digit number. A "coding sheet" was developed to give a unique number to every possible response to every subquestion. The coding sheet, along with the questionnaires,

were then forwarded to a commercial keypunching company which converted the information on the questionnaires into numerical data and recorded this data on standard computer cards.

A St. Louis University law student wrote the computer program to transpose this numerical data into a useful and readable format. The Academy was able to use St. Louis University's Honeywell computer for this procedure. The heart of the computer program consisted of a data analysis program package developed at Stanford University and the University of Chicago. The program is titled the Statistical Package for the Social Sciences (SPSS).

SPSS has a repertoire of about a dozen and a half statistical routines and data transformation abilities. Its greatest strengths lie in the more elementary, but more heavily used areas of statistical computation: frequency tables, graphs, and two variable correlation tables. These were in fact the three routines employed by the Academy.

A copy of the printout of the computer tabulations is available in the office of the Secretary-Treasurer.

Answers to most of the opinion questions were compiled by hand since they would have been prohibitively expensive to computerize.

391 questionnaires were completed and returned from the 595 members of the Academy listed in the 1981-82 Directory. Except where otherwise indicated, the percentages given below are based upon the number of persons answering the particular question (that is, the nonresponses for a particular question are disregarded in computing the percentages).

Part I. Personal Data

1. In what year did you first arbitrate?
50% before 1964
Do you still arbitrate?
Yes 96.4% (375); No 3.6% (14)
2. In which state in the U.S. or province in Canada do you reside?
42 States; Washington, D.C.; 7 Provinces
3. How old are you?
Median—59 years 3 months; Average—59.2; Youngest—32; Oldest—84

4. Are you a full-time or part-time arbitrator?
 Full-time 46.2% (176); part-time 53.8% (205)
 If part-time, what are your other professional activities (e.g., teaching, law practice)?
 Other—specify:
 Teach at least some—28.6% (112)
 Practice law at least some—13.3% (52)
 Devote some of their time to other endeavors—18.9% (70)
5. What is your academic background? Check where applicable.
 Law 42.4% (165); Economics 8.2% (32); Industrial Relations 8.5% (33)
 Other—specify:
 Law & Econ. 6.2% (24); Law & Econ. & I.R. 1.8% (7)
 Law & I.R. 7.2% (28); Other 13.9% (54)
 Econ. & I.R. 11.8% (46)

6. Identify other-than-Academy professional organizations with which you are associated and show the extent of your participation (by checking one or the other of the given categories).

<i>Organization</i>	<i>Minimal</i>	<i>Substantial</i>
IRRA	75.8% (197)	24.2% (63)
SPIDR	91.6% (153)	8.4% (14)
ABA	80.0% (108)	20.0% (27)
Other—specify:		
1) ALI	61.5% (8)	38.5% (5)
2) AAA	59.6% (28)	40.4% (19)
3) State Bar Association	55.4% (41)	44.6% (33)

Part II. Academy Annual Meetings

7. Which of the following Annual Meetings did you attend?
 Check where applicable.

1970, Montreal	25.6% (100)
1971, Los Angeles	26.1% (102)
1972, Boston	30.9% (121)
1973, Atlanta	29.4% (115)
1974, Kansas City	30.9% (121)
1975, Puerto Rico	28.1% (110)
1976, San Francisco	42.2% (165)
1977, Toronto	41.9% (164)

1978, New Orleans	43.5% (170)
1979, Dearborn	41.9% (164)
1980, Los Angeles	47.1% (184)
1981, Hawaii	32.0% (125)

8. What factors caused you to attend Annual Meetings?

Check where applicable.

a) Program subjects	62.4% (244)
b) Program speakers	43.0% (168)
c) Availability of member workshop sessions	34.8% (136)
d) Opportunity at business meeting to participate in formulation of Academy policies	29.2% (114)
e) Opportunity to socialize with fellow members	73.9% (289)
f) Opportunity to meet, formally or informally, with representatives of parties	33.8% (132)
g) Opportunity, from business-enhancement standpoint, to be in circulation at meetings attended by representatives of parties	21.0% (82)
h) Special attraction of host city	44.2% (173)
i) Keeping abreast of developments in labor-relations field (as contrasted to confined nature of arbitration itself)	46.3% (181)

9. As to those factors which you have checked in Question 8 as having motivated you to attend, show whether or not your expectations were realized.

<i>Factor</i>	<i>Yes</i>	<i>No</i>
a)	92.1% (210)	7.9% (18)
b)	91.3% (137)	8.7% (13)
c)	88.9% (120)	11.1% (15)
d)	78.2% (86)	21.8% (24)
e)	95.7% (264)	4.3% (12)
f)	85.8% (109)	14.2% (18)
g)	68.5% (50)	31.5% (23)
h)	95.1% (155)	4.9% (8)
i)	90.8% (139)	9.2% (14)

10. What factors caused you *not* to attend Annual Meetings?

Check where applicable.

a) Program subjects	7.4% (29)
b) Program speakers	3.1% (12)

c) Belief that personal role would be one of mere bystander	13.6% (53)
d) Not enough members-only workshops	2.8% (11)
e) Too many members-only workshops	0.8% (3)
f) Perceived lack of opportunity at business meeting to influence Academy policies	7.9% (31)
g) Not enough time allowed for questions and discussion at program sessions	2.8% (11)
h) Disapproval of presence of parties' representatives	7.7% (30)
i) Duration of Annual Meeting (too long—6.9% (27); too short—0.5% (2))	7.4% (29)
j) Cost of transportation to and from host city	40.4% (158)
k) Hotel cost	25.1% (98)
l) Amount of registration fee	10.7% (42)
m) Lack of suitability of May as month in which to hold Annual Meeting	24.0% (94)
n) Lack of sufficient advance announcement respecting program's particulars	1.3% (5)
o) Low priority relative to other professional functions	13.8% (54)
p) General lack of interest	2.0% (8)

Part III. Regional Meetings

11. As to the Academy's established regions, which is yours?

Largest: 1) Illinois—11.1% (38); 2) Southeast—9.4% (32);
3) Upstate New York—8.5% (29)

Smallest: 1) Rocky Mountain—1.2% (4)

12. Are regional and/or multi-regional meetings offered in your area?

Yes 91.3% (335); No 8.7% (32)

13. If yes:

a) Give approximate frequency per year

1	39.2% (115)
2	22.9% (67)
3 or 4	14.3% (42)
5 or 6	9.2% (27)
7, 8, or 9	3.8% (11)
over 9	7.8% (23)

- b) Give normal duration in days or fractions of days
- | | |
|--------|-------------|
| 1 | 57.2% (154) |
| 2 | 30.5% (82) |
| 3 | 9.7% (26) |
| 4 plus | 2.7% (7) |
- c) Give normal format—check where applicable
- | | |
|---|-------------|
| Social | 5.8% (16) |
| Planned discussion by members alone | 10.8% (30) |
| Speakers, with or without succeeding discussion by participants | 4.7% (13) |
| Combination of any of the above | 78.8% (219) |
- d) Give frequency of your attendance in percentage terms over past 5 years
- 44.4% (119 of 268) attended less than 50%

Part IV. Committee Activities

14. Have you ever served on an Academy Committee?
Yes 63% (244); No 37% (143)
15. If yes, how many?
1—44.0% (99); 2—22.7% (51); 3—19.5% (44); 4—5.3% (12); 5 plus—8.4% (19)
16. If no, what were the reasons? Check where applicable.
- | | |
|--|------------|
| a) I never expressed an interest in Committee service | 18.0% (24) |
| b) I was asked to serve but declined | 1.5% (2) |
| c) I was never asked to serve | 42.1% (56) |
| d) I expressed an interest in Committee service but I was never asked to serve | 10.5% (14) |
| e) a) and c) | 27.8% (37) |

Part V. Continuing Education

18. In recent years, the Academy has offered seminars at various locations and at various times other than in connection with annual, regional, or multi-regional meetings. Have you ever attended any such seminars?

Yes 24.3% (92); No 75.7% (286)

If yes, how many?

1	49.4% (41)
2	24.1% (20)

3	14.5% (12)
4	7.2% (6)
5 plus	4.8% (4)

If no, state the chief reasons.

Cost	16.4% (46)
Location	15.7% (44)
Program	11.4% (32)
Other (Misc.)	56.4% (158)

19. Do you make use of the following educational materials?

	<i>Yes</i>	<i>No</i>
a) The published volumes covering the Annual Meetings	96.0% (364)	4.0% (15)
b) Committee Reports	90.9% (299)	9.1% (30)
c) The Chronicle	89.9% (311)	10.1% (35)
d) Seminar Transcripts	44.2% (106)	55.8% (134)
e) Discussion Guides (when not in attendance at an Academy seminar)	50.4% (120)	49.6% (118)

Part VI. Opinion Questions

20. Only about a third of the Academy's membership attends our Annual Meetings. The attendance proportion is presumably reflective of involvement in Academy activities generally. Do you believe that the Academy should be concerned about this degree of participation?

Yes 61.9% (227); No 38.1% (140)

21. If you have regularly attended Annual Meetings, what suggestions do you have to insure your continued regular attendance? In answering the question, feel free: to touch on one or another of the factors identified in Questions 8-10, to range freely, and to comment on any of the following factors.

- a) Area rotation of Annual Meetings over 5-year cycle (East, South, Mid-West, West, followed by wild-card year) (Total answers 147)
- | | |
|---------------------|-------------|
| Retain | 85.7% (126) |
| Change | 5.4% (8) |
| Eliminate Wild Card | 8.8% (13) |
- b) Ambiance of the Annual Meetings (the first-class hotels, the Friday-night dinner dances, the resort locations in the wild-card years, etc.). (Total answers 117)

- | | |
|------------|------------|
| Approve | 62.4% (73) |
| Disapprove | 37.6% (44) |
- c) Length of Annual Meetings (Total answers 91)
- | | |
|----------|------------|
| O.K. | 72.5% (66) |
| Shorten | 22.0% (20) |
| Lengthen | 5.5% (5) |
- d) Format of Annual Meetings, with particular reference to invitation or exclusion of nonmembers—should we have fewer days on which parties' representatives join us or should we have some members-only Annual Meetings? (Total answers 147)
- | | |
|----------------------------|------------|
| Keep nonmembers | 48.3% (71) |
| Reduce days for nonmembers | 19.0% (28) |
| Exclude nonmembers | 32.7% (48) |
- e) Quality and timing of announcements covering Annual Meetings—should we go to the expense of producing attractive program brochures? (Total answers 133)
- | | |
|-----------------------------|-------------|
| Favor | 10.5% (14) |
| Disfavor | 79.7% (106) |
| Retain Present Announcement | 9.8% (13) |
- f) Miscellaneous:
- Negative comment on Friday Dinner Dance (28)
 - Expressions of general satisfaction (33)

22. If you have not regularly attended Annual Meetings, could you be motivated to attend regularly by changes in the character of the meetings?

Yes 46.9% (68); No 53.1% (77)

24. What suggestions do you have for improving attendance at regional (and/or multi-regional) meetings? Comment as you wish, but consider such factors as:

Adequacy of advance notices (Total answers 118)

Adequate 22.9% (27); Improve 28.8% (34); Checked as Important 48.3% (57)

Structured vs. informal programs (Total answers 90)

Structured 62.2% (56); Informal 37.8% (34)

Duration: luncheons, dinners, all-day sessions, multi-day sessions (Total answers 99)

Dinner 17 votes; Luncheons 17 votes; All-Day 47 votes; Multi-Day 18 votes

Whether Regional Chairperson should be elected (rather than appointed by Academy's President (Total answers 81)

Elect 64.2% (52); Appoint 35.8% (29)

Whether records of speeches and/or substantive discussions should be produced to permit distribution, upon request, to other regions. (Total answers 88)

Yes 42.1% (37); No 44.3% (39); Mention cost 13.6% (12 of 88)

25. Should the Academy go in the direction of multi-regional meetings either in partial replacement of Annual Meetings or in partial replacement of regional meetings? State your answer in any way that suits you.

a) Should multi-regional meetings partially replace Annual Meetings?

Yes 20.1% (46); No 79.9% (183)

b) Should multi-regional meetings replace regional meetings?

Yes 31.8% (62); No 68.2% (133)

c) Attitude in general toward multi-regional meetings.

Favor 28.4% (58); Disfavor 71.6% (146)

26. Do you favor annual canvassing of all members as to their preferences for Committee service?

Yes 86.1% (309); No 13.9% (50)

If yes, do you think that incoming Academy Presidents should nonetheless have a free hand in making Committee appointments?

Yes 91.6% (304); No 8.4% (28)

Should incoming Academy Presidents be required to make room on each Committee for the appointment of relatively new members? (Answer the question in principle, i.e., without regard to how much room is to be made.)

Yes 64.4% (224); No 35.6% (124)

27. Do you think that Academy Committees have an effective voice in the formulation of Academy policy decisions?

Yes 84.6% (208); No 15.4% (38)

28. If you have been appointed to an Academy Committee (answer in terms of what you deem to be characteristic if you have been appointed to several Academy Committees):

a) Was the Committee active?

Yes 79.9% (167); No 20.1% (42)

b) Were you given the opportunity to be a meaningful participant?

Yes 81.6% (169); No 18.4% (38)

29. Aside from Annual Meetings and regional (and/or multi-regional) meetings, do you think that the Academy is sufficiently active in the area of continuing education?

Yes 83.2% (267); No 16.8% (54)

30. What is your opinion of the Academy's seminar program? Are the seminars being held in appropriate locations? Are they held with adequate frequency? Are they sound as to subject matter? Are they valuable enough to justify the expenditure of Academy funds? Comment as you wish. 71.9% (281) responded.

a) Those who checked "Yes" on Question 18.

	<i>Favor</i>	<i>Disfavor</i>
1. General Opinion of Seminars		
Total 59	83.1% (49)	16.9% (10)
2. Complaints about location	<i>Yes</i>	<i>No</i>
Total 33	27.3% (9)	72.7% (24)
3. Should Academy funds be expended?	<i>Yes</i>	<i>No</i>
Total 38	65.8% (25)	34.2% (13)

b) Those who checked "No" on Question 18.

	<i>Favor</i>	<i>Disfavor</i>
1. General opinion of Seminars		
Total 73	68.5% (50)	31.5% (23)
2. Complaints about location	<i>Yes</i>	<i>No</i>
Total 51	76.5% (39)	23.5% (12)
3. Should Academy funds be expended?	<i>Yes</i>	<i>No</i>
Total 64	32.8% (21)	67.2% (43)

31. Would you favor the expenditure of Academy funds for the development of video tapes, cassettes, and other similar educational aids, for use by Academy members?

Yes 47.5% (160); No 52.5% (177)

32. In the allocation of Academy funds, what priority would you assign to the production and distribution of the following educational aids? Rank them 1 through 4.

	<i>Ranked 1st</i>	<i>Ranked 4th</i>	<i>Overall Rank</i>	<i>Average Score (1 thru 4 rank)</i>
Discussion guides	22.4% (65)	26.2% (76)	3	2.58
Seminar transcripts	17.2% (50)	34.0% (99)	4	2.79
The Chronicle	39.4% (115)	19.9% (58)	1	2.19
Committee reports	21.2% (62)	19.5% (57)	2	2.42

33. Do you regard the annual Law & Legislation report as a particularly important educational aid?

Yes 83.6% (291); No 16.4% (57)

If yes, are you satisfied with receiving the report prepared by the ABA or do you believe that Academy funds should be expended for an Academy-prepared report? Comment as you see fit. 72% (281) responded to this question.

ABA report satisfactory or preferred 78.1% (211)

Academy report preferred 9.6% (26)

ABA report should be supplemented by Academy report or comments 12.2% (33)

34. In the interest of acquainting the membership with the Academy's heritage, and for distribution to new members, should the Academy underwrite the preparation of an attractive brochure covering its history and objectives?

Yes 53.7% (190); No 46.3% (164)