

Interviews with Members of the 2024 President's Circle for Lifetime Giving to the Research and Education Foundation (the REF)

James B. Dworkin

Why do you support the REF?

I consistently like to support the REF because research and practice in the areas of arbitration and mediation have been a large part of my career as an academic. I want to do anything possible to try to encourage younger faculty members to conduct their own research into these fascinating fields. I believe that Churchill said that "We make a living by what we get. We make a life by what we give."

Is there a mentor you would like to recognize?

I would like to recognize and thank my mentor, Professor Mario (Mike) Bognanno. He was my major professor throughout my PhD program at the University of Minnesota. He taught me so much about doing research and how to be an effective teacher. Mike also mentored me in the area of arbitration, as he was a very active member of the NAA. I can't thank him enough for the guidance, support, knowledge and experience he shared with me when I was a young student aspiring to become a professor of Industrial Relations.

Richard D. Fincher

Why do you support the REF?

I support the REF because the profession needs practical research, educational tools, and skills-based programming. Our world, and the needs of the parties, continually evolves. Congratulations on the 40th anniversary of the REF.

Is there a mentor you would like to recognize?

There have been several NAA mentors that have influenced my career. Some, such as Byron Yaffe, served to expose me to labor arbitration as a student. Others, such as Marge Gootnick and Elliott Goldstein, encouraged my career prior to admission to the NAA. But Sara Adler has been most influential in her subtle perspectives on building an ethical career and handling complex issues. Her judgment is exceptional. After twenty-five years, she is still my occasional mentor and always my dear friend.

Is there any committee of the NAA that you found particularly rewarding and, if so, why?

Over the years, I have been a member or chaired several standing committees, but the most exciting one is the International Studies Committee (ISC). The ISC was recently reinvigorated by Chris Albertyn and is currently chaired by Jules Block. The current mission of the ISC is

educational -- offering speakers on international labor law and dispute resolution to NAA members and advocates at the NAA annual conferences, including International Day.

Historically, workplace dispute resolution in almost all countries is performed by the government. Private labor arbitration is rare except in the USA and Canada. But times are changing. The growth of the global supply chain and attention towards labor/human rights in factories have forced international employers and unions to create Enforceable Brand Agreements (EBAs) to remedy a range of violations. Such EBAs employ private workplace neutrals (instead of government neutrals) to resolve disputes. To the international parties, private workplace neutrals have: a) greater subject matter expertise (such as freedom of association), b) are free from local corruption, c) have a broader skillset such as med/arb, and d) have much greater flexibility in roles and available time. Most mediations are virtual and involve multiple languages requiring translators. This growing demand for private workplace neutrals with labor relations expertise makes the future of the ISC very important to the Academy.

Anita Christine (“Chris”) Knowlton

Why do you support the REF?

I support the REF because it plays a key role in the future of Labor and Employment Arbitration and the NAA. It consistently supports education for current arbitrators to stay abreast of new developments and to hone their ethical awareness. It underwrites training for the next generation of arbitrators, and it funds cutting edge research into all aspects of our work.

I believe that members making annual donations -- of a set amount, a day's cancellation charge, or a percentage of their fee -- are essential to the ability of the REF to continue and thrive and encourage all members to make a regular financial commitment.

Do you have a professional or personal colleagues from the NAA that you would like to recognize?

Leading the REF was the most satisfying of all my many NAA activities. President Holley asked me to become the President of the REF at a time when it was a backwater of the NAA with little money and no active projects. I was adamantly against the appointment, but he persisted and refused to take no for an answer.

I could not have led the initiative to revitalize the REF without Allen Ponak, who was the REF's Vice-President. We were a great collaborative team, and with our hard-working Board, we began the process of building the REF into the great organization it is today. We knew that to raise money we had to have interesting projects and to have interesting projects we had to attract donations. So, we worked on both simultaneously. Today, the REF is hardly recognizable from the small, inconsequential organization we took over.

Do you have a mentor from the NAA that you would like to recognize?

I was lucky to transition to a career as a labor arbitrator after seven years as a union lawyer. I was looking for a different path after several grueling years litigating the Continental Airlines bankruptcy in Houston, away from my young family in Los Angeles.

My interest in the profession began at UCLA School of Law, where I took an arbitration class from Ted Jones. He handed out three of his case transcripts to each student and we had to give a closing argument and write a brief for the union in one case, and again for management in another case, and write an arbitrator's decision in the third case. He revealed his actual decisions at a party at the end of class. I was thrilled to have convinced my student arbitrator to rule for the union when Ted had ruled for management! Ted and I became lifelong friends. I presented my first arbitration case to him, and he ruled against me. Later, he was the first to encourage me to take up the profession.

Even with Ted's support, I could not have done it without many years of mentorship with Leo Weiss. Leo took me to his hearings and paid me to write the first draft of his awards. He introduced me to his former intern Mei Bickner, and to Sara Adler, who showed me the way at a time when they were the only women arbitrators in Southern California. Leo was my biggest fan during those times when I thought I'd never make it. The best advice Leo gave me, which I've passed along to many new arbitrators, is to get your awards out on time.

What is the value of your NAA membership?

I treasure my NAA friendships above all else about the organization. The camaraderie, the unselfish sharing and support, and the Canadians who like to party (you know who you are), made being an arbitrator more than a profession. I continue to enjoy the friendship of so many wonderful colleagues after my retirement and will be forever grateful for all the NAA has done for me professionally and personally.

Rosemary Pye

Why do you support the REF?

There are many worthy charitable causes, but I have always focused on those where I had a personal knowledge of their work. In my work for the REF, I have seen how our grants serve both NAA members and the larger dispute-resolution community. To illustrate the REF's broad reach, the REF has provided grants:

- to continue the Becoming a Labor Arbitrator (BALA) course previously offered by the FMCS;
- to educate arbitrators on the impact of Artificial Intelligence;
- to train the trainers and develop dispute-resolution educational materials for public school educators;
- to study the grievance procedures designed to prevent workplace violence in supply-chain factories;

- to study the comparative outcomes for plaintiffs of employment claims in arbitration and in court litigation; and
- to produce a video documenting the success of the last of the Depression-era worker schools and providing a model for worker training on labor relations.

I am enormously grateful to the NAA, and I view a gift to the REF as a way to give back.

What is the value of you NAA membership?

I read a Fireside Chat that longtime REF President Chris Knowlton conducted with Ted Jones, the 1982 president of the Academy. Jones said that the best part of the NAA is the camaraderie. I agree. My main career was with the NLRB. I always treasured the opportunity to work with knowledgeable and dedicated colleagues. When I retired from the NLRB to take care of my 98-year-old mother, I missed the teamwork. I started arbitrating because it seemed to be a natural progression.

The New England NAA region is famously welcoming. When the pandemic occurred, the New England region started weekly Zoom drop-in meetings that continue to this day, often attracting about 20 participants to discuss cases and arbitration issues. When I moved from Boston to Washington after my mother's death, the D.C./MD/VA NAA region was equally supportive professionally and personally. The critical support for my admission to the NAA, however, was my participation in the NAA Mid-Atlantic Salon, convened by my law school classmate Homer La Rue and by Margie Brogan, Walt De Treux, and Andrew Strongin. They were crucial in guiding my transition to arbitration and my admission to the NAA, and the salon has gained me close friends and colleagues.

A hallmark of the annual NAA conferences is that the Fireside Chats, the Presidential Addresses, and the interactions of the members show how valuable the friendships have been to the NAA members. I am grateful to be part of a community that is not only accomplished but supportive and collegial.

Barbara Zausner

Why do you support the REF?

My NAA membership, from 1983 to my phased- in retirement in about 2016, has always been important and gratifying to me. The reason I support the REF is that it's the best resource we have both for educating our members and for highlighting our profession to our public. I'm very proud of the esteem we share as NAA members. In my view, the NAA-REF is a good investment and, gratifyingly, tax deductible.

What is the value of your NAA Membership?

As a retired member, I continue to support the REF because I have an ongoing affection for the organization and also a family interest in the wellbeing of the NAA. My daughter, Erica Tener, was admitted to the Academy in 2023. She serves on a number of committees and takes

an active interest in the NAA. Like other similarly situated second “genners,” we had the usual worries while awaiting fame. Over my many years as a member of the local NAA groups in the Philadelphia and NYC regions, I’ve found it remarkable and endearing how willing old-timers are to help newcomers. As a newcomer to the field, I found local, regional, and national NAA meetings to be welcoming, entertaining, and fruitful as the members have been generous with introductions to the local labor relations practitioners. Business is business; the best way to advance is to just keep at it.

I don’t miss laboring in the vineyard — actually, I still pull a few weeds. I’m enjoying my freedom.
