

Long Island Chapter

Labor and Employment Relations Association

Newsletter

SHAPING THE WORKPLACE OF THE *FUTURE*



bug

March 2008

Thomas J. Lilly, Jr. President
tlilly@aol.com

www.lilera.org

Dr. Gerald Grayson Editor
jerryarb@optonline.net

PRESIDENT'S PERSPECTIVE: LI LERA'S STAR SHINES BRIGHTLY IN NEW ORLEANS

On January 5, 2008 I had the honor of attending the Annual Meeting of the National Labor and Employment Relations Association in New Orleans and accepting the Chapter Star Award on behalf of Long Island LERA. This is the second consecutive year that Long Island LERA has won the Star Award.



Thomas J. Lilly, Jr.

The Star Award is the highest honor that National LERA bestows on a chapter. Only about fifteen percent of LERA chapters have ever won a Star award. For the Long Island Chapter to have won two Star awards in two consecutive years is a wonderful indication that our organization is vibrant and doing good work.

Long Island LERA also won 2007 awards for:

- Outstanding Programming
- Member Innovation
- Community Involvement
- Consistent Chapter Excellence
- Chapter Communication
- Chapter to National Relations

Congratulations to all involved.

Joining National LERA

Long Island LERA is one of more than sixty chapters of LERA nationwide. Membership in national LERA, however, is separate from membership in a chapter. The benefits of joining National LERA are inclusion in the National LERA directory and an invitation to attend the annual national LERA meeting. National LERA members also receive several publications and can participate in various Interest Sections and Industry Councils.



Upcoming Chapter Meetings

Please Add These To Your Calendar

SPRING CONFERENCE, Fri., Apr. 25

NYIT deSeversky Center, 8:30 a.m.

.....
Wed., June 11, 2008 (Nassau Bar)

.....
Barbara Deinhardt, NYSERB chair

.....
Tues., Sept. 16, 2008 (Ambrosia)

Anyone interested in joining national LERA or in learning more about the organization should visit their web site at www.lera.uiuc.edu. While you are there, you might want to buy a copy of their book of Labor and Employment Relations Cartoons.

Rebuilding New Orleans

When I tell people that I recently attended a

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Tom Lilly accepting the Star Award from the chair of the LERA National Chapter Advisory Committee.

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LI LERA'S STAR SHINES BRIGHTLY IN NEW ORLEANS

labor relations conference in New Orleans, they do not ask me what is new in labor relations. Rather, they ask me how is New Orleans.

The parts of New Orleans that tourists and business travelers are likely to frequent were not physically devastated by Katrina. Those parts of the city were the first to be settled and developed, and were built on relatively high ground. If you visit New Orleans, you will be able to stay in a good hotel, admire the local architecture and eat in great restaurants.

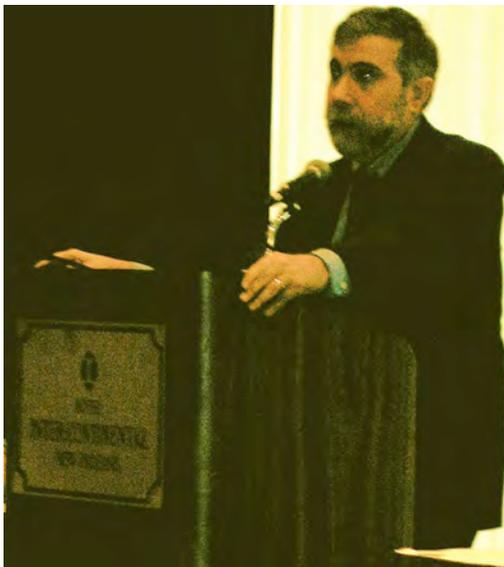
The parts of New Orleans that suffered the most from Katrina are those sections where the city's working people live. Those parts of New Orleans are in lower lying areas. In many cases, those areas were settled and developed only after it became possible for African Americans to own land in Louisiana. Those areas are also recovering, but only slowly.

New Orleans now has a noticeable labor shortage. As of January of this year, the population of New Orleans was approximately 220,000, down from approximately 400,000 pre-Katrina.

Louisiana became a right-to-work state in 1976. From that time to this there has been a steady decline in the state's union construction workers. As a result, the cost of construction labor declined, and so did the quality of construction. While there is now an acute need for skilled construction workers, there is also a lack of apprenticeship programs.

On September 8, 2005, President Bush suspended application of the Davis-Bacon Act for workers' pay on federal contracts in the New Orleans area, as well as other areas damaged by Katrina. This means that wages for construction workers remain too low to attract skilled labor from other parts of the country.

LERA was founded in order to encourage research and the exchange of ideas on all aspects of labor relations, and, by so doing, to raise the standard of living for American workers. The current situation in the City of New Orleans is certainly worthy of our study.



New York Times columnist and Princeton economics professor Paul Krugman speaking at the LERA Conference in New Orleans.

60th ANNUAL MEETING OF LERA IN NEW ORLEANS

by Gerald H. Grayson

Yes, it was bitter cold when I arrived in New Orleans on the evening of Thursday, January 3rd, for the conference. And I came from Florida where it was just as cold. Waiting on line for the shuttle from the airport, wearing just a shirt and sport jacket, a colleague from Syracuse asked if I had checked the weather on the internet. Unfortunately, my computer was not yet connected in Florida so I had not.

After defrosting in my hotel room Thursday evening, I started to attend sessions on Friday morning. The first was on "Work Life Voice: Examining the Relationship Between Forms of Employee Voice and Flexible Working Time Arrangements Across Countries." Helmst Sefert of Germany reported on Flextime Models, Overtime Accounts and Band Width models. His study found that more than 50% of the companies in Germany were using one of the first two. These arrangements allow workers to care for children, seek training, take a sabbatical or even apply the time towards early retirement. He emphasized that the CB and co-determination framework in Germany allows for this. In Denmark, Anna Ilsoe reported, trade-offs on flexible hours are made at the company level. Her research found that about 52% of Danish workers, 48% of EU workers and 28% of U.S. workers had flextime. In one U.S. company they were doing 4 X 10, M-F and 3 X 12, F to Sunday. Barbara Pacock painted a grim picture of the situation in Australia. With a labor force of 10m, there are many part-time workers and much unpaid overtime. Changes are anticipated with the newly elected government. The conclusion of the discussion was that this is not a high priority for unions and that both union leaders and managers must be educated to the possibilities and the language.

The second session that I attended on Thursday was a symposium on "Employee Voice and Participation in Organizations." Based upon his research, John Budd presented a comprehensive framework for the discussion including the Egoist model (price of labor), the Pluralist model (HR approach), the Critical model (Marxist) and the Unitarist (management knows best). He explained how these apply to employee participation and voice. Richard Block and Peter Berg presented the concept that CB is a form of this. They reviewed the legislation and case law and concluded that CB is supported primarily to the extent it doesn't interfere with running a business efficiently. In Europe, CB is seen as a component of human rights. The Treaty of Rome (1957), the Maastricht Treaty (1992) and the Treaty of Amsterdam (1997) have codified the relationships which are more centralized with deep collective worker participation. David Lowin surveyed U.S. companies that had grievance processes and arbitration. He found that management benefits by having fairer promotions, increased retention, litigation avoidance and even union avoidance. In the U.K., Alex Bryson, related the decline of unionization, similar to the U.S. Unless there is a closed shop, there will not be any opportunity for par-

ticipation.

At the luncheon session (where you had to bring your own lunch) an example of an innovative CB strategy was presented by a panel from Harvard composed of those who were involved. The process involved the empowering of a number of labor and management participants (from the clerical and administrative staffs-no faculty union) to work on the issues that affected them. The parties were all very positive about the outcome.

Friday's sessions concluded with a panel "Assessing the Efficiency of Union Organizing Strategies." While Joseph Rose found that Canadian unions are doing better than U.S. unions, he was not optimistic nor was Joseph Fiorito who presented his research on U.S. unions. The U.K. researchers found the same results. However, in the U.S., the SEIU seems to be having some success.

Although the Friday lunch meeting was devoid of lunch, Saturday's breakfast meeting did have food. Sponsored by the AFL-CIO, the guest speaker was Paul Krugman, prof. at Princeton and opinion columnist for The New York Times. He spoke about the enormous increase in wage inequality and he maintains that the decline in union membership was a major contributing factor. He blames this on the hostile political environment beginning with Ronald Reagan. Of course, the impact of the global economy is consequential, as well.

Breakfast was followed by the meeting of the LERA National Chapter Advisory Committee that both Tom Lilly and I attended. Reps from all of the chapters present attended and the discussion centered on all aspects of chapter operations as well as the relationship of the chapters to the national administration.

Saturday's LERA Presidential Lunch did have food (choice of salmon or salmon) and Eileen Hoffman of the FMCS and LERA president gave a speech about her tenure as head of LERA. Following lunch were some more panels but I chose the poster session. This is an interesting arrangement where many authors sit with copies of their papers literally posted on poster board. I had a talk with Jerome Barrett who wrote about "Sixty Years of FMCS" and Ithak Harpaz about "The Current Position of Labor Unions in Israel." This was followed by a distinguished panel who discussed the role of ADR in rebuilding New Orleans and the distinguished lecture by Claudia Golden of Harvard who presented the findings that are in her book on "The Race Between Education and Technology: Wage Inequality in 20th Century America".

The conclusion of the day's activities (not counting the reception) was the awards presentation, where our chapter received the "Star Award." Our president, Tom Lilly, accepted. While Sunday's panels were lightly attended, there was an interesting presentation on "Organizational Change in Unions." Trainers of union leaders discussed the programs they are running to develop future union and community leaders. The last session I attended was entitled "The Changing Global Context of Labor Laws and Enforcement." With examples from Sumatra, Peru and El Salvador, the conclusion was that even though some countries have active unions there is very little labor law enforcement.

Next year's meeting will be in San Francisco.



Nassau County D.A. Kathleen Rice spoke at our December meeting at the Nassau Bar Association.

TWO VOLUNTEERS NEEDED
At the Annual LERA meeting the rep from Cornell Univ Press gave me two books for review: Employment With A Human Face by John W. Budd and Taking Back The Workers' Law by Ellen Dannin. Anyone willing to read either and write a review please send an email to me and I will send you the book:
jerryarb@optonline.net



Former LI LERA chapter president Tom Germano receiving his award from Mr. and Mrs. Victor Fusco at the Salute to Labor dinner.

LERA "SPRING" CONFERENCE FRIDAY, APRIL 25, 2008

We have a great program planned for our LI LERA Annual Spring Conference. We are hoping that Nassau County Supervisor Tom Suozzi will deliver the keynote address.

One panel will be *The Legacy of the Bush NLRB*, with panelists Daniel Silverman, formerly of the NLRB, Cliff Chalet, management attorney, Thomas Lilly, Jr., union attorney, moderated by Richard Roth, arbitrator.

The second panel will be on *Economic Development in Nassau County*. V. P. Beverly Harrison will moderate with panelists Richard Bivone, president of the Nassau County Council of Chamber of Commerces and Diane Goins of ACORN.

We will also have the scholarship awards. Richard Roth, as chair of the scholarship committee, will present the winners.

We will also give out the MacGreggor Award. As usual, there will be a delicious buffet lunch prepared and served by the culinary students of NYIT. Please use the enclosed form to make your reservation.

REPORT ON OUR WEBSITE www.lilera.org

Our website is up and running. With the technical assistance provided by Secretary Tom Wassel (and some help from his firm, Cullen and Dykman) the following things will be available for your perusal:

- Benefits of joining our chapter
- Executive Officer Roster
- National LERA constitution
- Dates and locations of upcoming meetings
- A membership application
- The last three newsletters
- Links to LERA national and other websites

Please take a look and let us know if there are any suggestions that will make the site more useful to those that consult it.

ANNOUNCEMENTS, NOTICES

WE WOULD BE PLEASED TO PRINT
ANNOUNCEMENTS FROM INDIVIDUALS
AND FIRMS THAT ARE RELEVANT TO
OUR CHAPTER AND OUR PROFESSION,
INCLUDING PROMOTIONS, TRANSFERS,
AND JOB VACANCIES. PLEASE SEND
NEWS TO EDITOR GRAYSON AT:

jerryarb@optonline.net

*Richard Gaba has been accepted for membership in
the National Academy of Arbitrators.*

2008 MEMBERSHIP DUES ARE NOW DUE

Checks for \$35.00 should be made payable
to LI LERA and should be mailed to:

Mr. Richard Roth
Membership Chair, LI LERA
85 Magnolia Lane
East Hills, NY 11577

You can write, I can edit and publish.

Let's get together.

*Have you had a case or incident in your
practice that would provide insight to
other practitioners? Have you read a
book or article in a professional journal
that you believe others might learn from
and enjoy reading?*

*Let's get together. Send me your
manuscript via email to:
jerryarb@optonline.net*

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The Long Island LERA Newsletter is a quarterly publication of the Long Island Chapter of the Labor and Employment Relations Association.

President	Thomas J. Lilly, Jr.
President Elect	Beverly E. Harrison
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Newsletter Editor	Gerald H. Grayson
Associate Editor	Beverly E. Harrison

Notices of address change should be sent to Membership Chairman, Richard Roth at <richarbit@aol.com>.

Inquiries about this publication, as well as submissions, etc. should be sent to Jerry Grayson at <jerryarb@optonline.net>.

LI LERA
43 Northcote Drive
Melville, NY 11747

**LONG ISLAND CHAPTER
LABOR AND EMPLOYMENT RELATIONS ASSOCIATION**

**LERA "SPRING" CONFERENCE
FRIDAY, APRIL 25, 2008**

PLACE: DeSeversky Conference Center
New York Institute of Technology
Old Westbury, New York
Tel:(516) 686-7675

DATE: Friday, April 25, 2008

TIME: 8:30 a.m., Registration and Continental Breakfast
9:00 a.m., Conference
12:30 p.m., Lunch

RESERVATION FORM

Please register the following person(s) for the 2008 LERA Spring Conference. The prepaid registration fee is \$85, for non-members \$95, for students, \$35, for seniors (62 and over except for members), \$35. Please make checks payable to LI LERA.

**Checks should be made payable to LILERA and mailed to:
Mr. Richard Roth
85 Magnolia Lane
East Hills, New York 11577**

Name: _____ Organization: _____

(please write additional names on back)

Address: _____

E-Mail Address: _____

Number of Persons: _____ Check Amount: _____ Telephone: _____