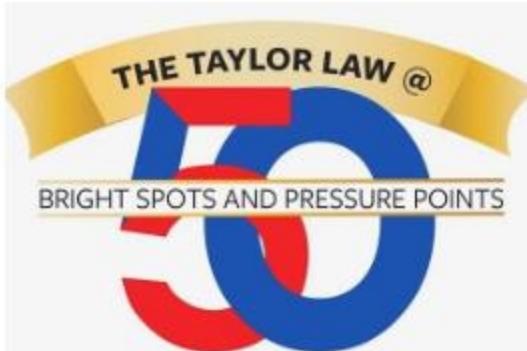


THE SCHEINMAN INSTITUTE ON CONFLICT RESOLUTION

Educating the Next Generation of Neutrals and Practitioners

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The Taylor Law At 50 : Bright Spots and Pressure Points

The Scheinman Institute on Conflict Resolution, the New York State Public Employment Relations Board (PERB), and the New York State Bar Association (NYSBA) co-organized a conference that recognized the fifty-year influence of the Taylor Law on public sector labor relations

The 50th Anniversary Conference of the Taylor Law, co-sponsored by the Scheinman Institute, the New York State Public Employment Relations Board (PERB), and the New York State Bar Association (NYSBA), was held on May 10-11, 2018 at the Desmond Hotel and Conference Center in Albany, NY with more than 400 professionals in attendance. The Taylor Law, passed by the New York Congress as the Public Employees' Fair Employment Act and signed by Governor Nelson Rockefeller in 1967, has been central to the development of labor relations in the public sector and has affected millions of workers over the past fifty years. In conjunction with the conference, Governor Andrew Cuomo has recently issued a [citation](#) that recognizes the importance of the Taylor Law and its continued influence.

The conference covered a range of issues in labor relations from unionization efforts in higher education to the complexities involved for those participating in the collective bargaining process. Harry Katz, ILR's Jack Sheinkman Professor of Collective Bargaining and director of the Scheinman Institute, was a keynote speaker at the conference. He said, "The terrific attendance reflects the fact that from the wildcat teacher strikes that are sweeping the South to the Supreme Court Janus decision, public sector labor issues have shot to the top of the nation's public policy agenda."

Highlights from the two-day event include:

- An exploration into two of the lengthiest negotiations in the history of the Taylor Law. In both New York City and Buffalo, teacher negotiations and subsequent impasses culminated in historic voluntary agreements. Featured in this discussion was Mr. Martin F. Scheinman Esq., founder of the Scheinman Institute and one of the country's foremost arbitrators and mediators.
- Professor David B. Lipsky, the Anne Evans Estabrook Professor of Dispute Resolution, presented research examining the effects of mandatory interest arbitration on police and firefighters in New York State between 1974 and 2007 in a session focused on interest arbitration.
- Professor Alex Colvin, ILR's Martin F. Scheinman Professor of Conflict Resolution, and Sally Klingel, director of Labor Management Relations, Scheinman Institute, provided the results from a multi-year study of New York state contracts between school districts and teacher unions that tracked key teacher contract features such as salary provisions, health care clauses, tenure rules, grievance procedures and procedures for appealing performance evaluations.
- Introducing a simpler, more flexible, and user-friendly style of arbitration was the basis of a panel discussion that featured Dan McCray, Director of Labor Relations at the Scheinman Institute.
- Professors Risa Lieberwitz and Lee Adler played key roles at the conference. Professor Lieberwitz moderated a session examining public sector labor relations in higher education. Professor Adler participated on panels related to police officer collective bargaining around discipline and arbitration of teacher tenure cases.
- Recent ILR Ph.D. graduate and Professor at Syracuse University, Todd Dickey participated in the opening plenary session and provided a comparative perspective from the federal sector based on his extensive research and work experience in this domain.



Speaking to the partnership between the ILR School and PERB, Professor Ariel Avgar, Associate Professor at the ILR School and Associate Director for Research and Student Engagement with the Scheinman Institute, said, "The ILR School and the Public Employment Relations Board have a long tradition of collaborating around issues related to public sector labor relations and we view this conference as another opportunity to work together in advancing scholarship, policy, and practice."

Similarly, John F. Wirenius, Chair of PERB, noted, "It was a great pleasure for us to partner with the Scheinman Institute on Conflict Resolution in such an ambitious venture, and I am delighted that the conference marks a beginning, not an end, of that partnership. We look forward to further joint initiatives and collaborative efforts to inform and educate parties, practitioners, and the public about the often overlooked but critical role collective negotiations play in the delivery of government services to the people of New York State."

Focusing on the role of the Scheinman Institute and the future of the Taylor Law, Mr. Martin Scheinman, Esq. stated, "As a neutral working in this area for many years, the conference offered a unique opportunity to share and exchange ideas with other leading neutrals, practitioners, and academics about the Taylor Law and its effects on the manner in which labor and management engage with and resolve conflicts and dispute. What I took away was, the Scheinman Institute's research, teaching, and extension work regarding public sector issues are more important than ever."

Research



Professors Ariel Avgar and Adam Litwin awarded *Ralph Gomory Best Industry Studies Paper* by Industry Studies Association

Associate Professors Ariel Avgar and Adam Seth Litwin along with Professor Edmund Becker of Emory University were awarded the *Ralph Gomory Best Industry Studies Paper* by the Industry Studies Association. Titled "Superbugs Versus Outsourced Cleaners: Employment Arrangements and the Spread of Health Care-Associated Infections" and published by the ILR Review in 2017, the paper examines the link between the way hospitals manage their cleaning or environmental services and their annual infection counts.



The authors argue that outsourced cleaners tend to be underpaid, undertrained, and physically and socially divorced from the rest of the care team. In combining infection data with structural, organizational and workforce data from California's general acute care hospitals, results suggested that hospitals that outsourced their cleaners had a higher incidence of infections. As a result, the outsourced cleaners are less likely than conventionally-employed cleaners to undertake the well-documented steps required to halt the spread of these infections.

The findings suggest that hospital administrators and health care policymakers should be more cautious about safety and avoid outsourcing environmental service work in order to prevent the spread of infections in hospitals. Professors Avgar and Litwin were presented with their award on June 1st in Seattle, Washington. For more information about their work, click [here](#).



Phoebe Strom, Ph.D. Candidate, Receives Theme Project Grant

Phoebe Strom is a recent grant recipient of the inaugural ILR theme project, titled "Technology and the Evolution of Work". In establishing its annual theme project, the ILR School has created a discourse centered around the extensive changes in technology and what the short and long-term implications of these developments will be. The ILR School awarded 18 project grants to members of the ILR community, including Ms. Strom. Her project, "Debugging Workplace Social Relations: How Technology Transforms Conflict and Collaborations" focuses on the manner in which technology reconfigures interpersonal and intergroup dynamic of collaboration and conflict in the healthcare setting. Ms. Strom's study will inform context-specific research on the way technology can best be deployed to improve health outcomes in addition to providing empirical evidence regarding technology's role in shaping employees' working relationships. She is working with the New York State Delivery System Reform Incentive Payment Program and the Staten Island Performing Provider System on this project.

People



Andre Lepine | Program Coordinator

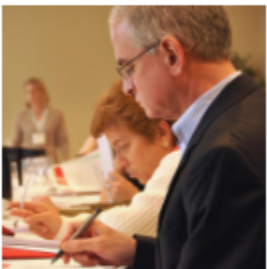
André Lepine joined the Scheinman Institute in New York City in 2017, working as an Administrative Assistant to support the Professional Programs. Prior to his role at the Scheinman Institute, André spent ten years at a corporate law firm and an environmental contractor, implementing training and coordination for a range of live and online programs. Recently, André has transitioned into the Program Coordinator role for the Scheinman Institute's Labor Relations Programs. He works closely with Dan McCray (Director of Labor Relations), Cornell adjunct instructors, HR professionals, union representatives, and employees working in unionized environments. André also writes the Professional Programs section for the Scheinman Institute's e-newsletter.



Gwynne A. Wilcox | Board Member

Gwynne A. Wilcox, Scheinman Institute board member, is Partner at Levy Ratner, P.C., a 2009 recipient of the Peggy Browning Fund Lifetime Achievement Award and Associate Editor of *Developing Labor Law*. Discussing her involvement with the Scheinman Institute, Ms. Wilcox noted, "I appreciate being on the Scheinman Board because I have the opportunity to be a part of the extensive conflict resolution activities that the Scheinman Institute spearheads for the ILR School, the Cornell Law School, and the broader Cornell community. The world that we live in is not lacking in disputes, but having students who have developed experience and knowledge in conflict resolution can lead to far more possibilities of conciliation. As a Scheinman Board member, I have had the privilege over the years of coaching Cornell students who participate in the mediation scrimmages with other colleges. The mediation scrimmages serve as a practical and hands-on experience to educate and train more conflict resolution ambassadors. I am thrilled with the knowledge that a growing number of students are benefitting from the expertise the Scheinman Institute provides. The skills and knowledge that they attain at the Scheinman Institute will impact their personal and professional lives and allow them to contribute to their future workplaces and communities."

Professional Programs at The Scheinman Institute



Public Workshops Offer Second Sessions of Cornerstone Classes

As June begins, the Scheinman Institute's public workshops hit the home stretch. This month features the second sessions of the cornerstone classes: [The Law of Equal Employment Opportunity](#) and [Fundamentals of Diversity and Inclusion Initiatives](#). The month also ends with the Advanced Collective Bargaining classes: [Compensation Strategy for Bargainers](#), [Costing the Contract](#), and [Agreement Writing](#). The Scheinman Institute's Professional Programs will then spend the summer delivering customized client programs and conference presentations before restarting public workshops in the fall.

Scheinman Conflict Resolution Club at Cornell



SCRC Farewell to Graduating Students

The SCRC said goodbye to its graduating students: Zoe Kohl (MILR), Lan Cunningham (MILR), Mike Maffie (Ph.D.), Michaela Tarpey (MILR) and Ethan Anderson (BSILR, not pictured). Zoe Kohl will be working in an HR Rotational Program at Amgen, Lan Cunningham will be based in New York City, Mike Maffie will begin his role as Assistant Professor at Penn State, Michaela Tarpey has accepted a position as an HR Business Partner at Tesla and Ethan Anderson will work as a paralegal for Cooper & Dunham, LLC. A farewell party was held on May 6th, 2018 and the graduating members were presented with special edition 2018 blankets. In concluding its yearly operations, the SCRC would like to thank club faculty advisor Professor Avgar, Jennifer Merchant and all the advisors, mentors and others who have helped make this year such a successful one. SCRC would also like to wish its graduates the best of luck and are grateful that all these individuals are now SCRC Mentors to current members. Finally, SCRC would like to wish everyone a restful summer, best of luck to all!



Establishing an SCRC Mentor Database

The SCRC is in the process of creating a database of employers and dispute resolution practitioners interested in providing internships, mentoring or other developmental opportunities to interested ILR students. Please contact the club at scrc@cornell.edu if you are interested in helping with the database.

Club Members to Know



Shaloni Pinto | Junior, ILR

Q: What is your role in the club?

A: I am the Undergraduate Co-Coordinator and former Vice President of SCRC. Currently, I am arranging a calendar of events and activities for Fall 2018 and am building the mentor database. I am also a Summer Research Fellow at the Scheinman Institute.

Q: What skills do you bring to the club?

A: I facilitate the weekly club activities and discussions. I also organize events through assisting speakers, connecting with the ILR administration and publicizing our events, either in the newsletter or through creating posters and other media.

Q: What is a fun fact about yourself?

A: I edit and publish the e-newsletter for the Scheinman Institute.

Q: How has the Scheinman Institute contributed to your conflict resolution knowledge and skills?

A: I have been able to connect with a vast array of neutrals and have found many mentors who have provided me with invaluable insights into ADR practices. I have learned how to use diverse argumentative strategies, especially when taking my final exams.

Events

LERA 70th Annual Meeting

The banner features the text "Shaping the Future of Work" in a large, white, sans-serif font on a blue background. To the right, a large white number "70" is partially visible, with the text "Challenges, Opportunities and New Models" in a smaller white font. Below the "70" is a circular image of a harbor with a ship. On the right side of the banner, the text "LERA 70th Annual Meeting June 14-17, 2018, Baltimore, Md. Pre-conference day June 13, 2018" is displayed in a small, black, sans-serif font. Below this, the text "Meet you in Baltimore." is followed by the LERA logo, which consists of the letters "LERA" in a bold, red, sans-serif font.

The Labor and Employment Relations Association (LERA) will be holding their 70th Annual Meeting from June 14-17, 2018 at the Hilton next to Camden Yards in Baltimore, MD. The meeting will feature two keynote speakers: Catherine Pugh, City of Baltimore Mayor and Dutch Ruppertsberger, U.S. Congressmen MD 2nd Dist. The four-day meeting will feature intense learning and skill building with 80+ workshops and 250+ presenters, including managers, unions, researchers, public policy and agency staff and others. The LERA 20th Ph.D. Student Consortium and 3rd Annual Junior Faculty Consortium will also be held in conjunction with the Annual Meeting on Saturday, June 16th, 2018. If you would like to register for the conference or find more information, click [here](#).

ILR School

ADVANCING THE WORLD OF WORK



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Newsletter Editors: Professor Ariel Avgar & Shaloni Pinto (ILR 2020)

Many thanks to all the collaborators who submitted information to the newsletter.

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