

Cornell University's Scheinman Institute on Conflict Resolution



**Educating the next
generation of neutrals
and practitioners.**

Fall 2015 Newsletter

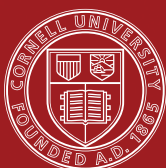
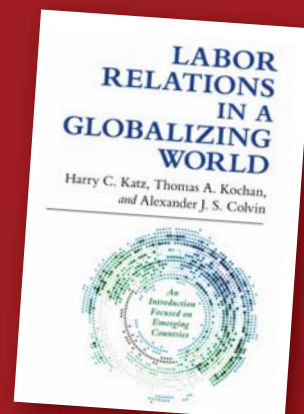
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Student Analyzes Mediation Techniques
Used by Shakespeare's Characters
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Highlighted Publication

Katz, Harry C., Thomas Kochan,
and Alexander J.S. Colvin 2014.
*Labor Relations in a Globalizing
World*. ILR Press/Cornell University
Press.

Compelled by the extent to which
globalization has changed the
nature of labor relations, Harry C.
Katz, Thomas A. Kochan, and
Alexander J. S. Colvin give us the
first textbook to focus on the workplace
outcomes of the production of goods and services in emerging
countries. In *Labor Relations in a Globalizing World* they draw
lessons from the United States and other advanced industrial
countries to provide a menu of options for management, labor,
and government leaders in emerging countries. They include
discussions based in countries such as China, Brazil, India,
and South Africa which, given the advanced levels of economic
development they have already achieved, are often described
as "transitional," because the labor relations practices and
procedures used in those countries are still in a state of flux.



Cornell University
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CORNELL ANNOUNCES ITS FALL 2015 ADR SCRIMMAGE SCHEDULE

MARQUETTE UNIVERSITY'S COLLEGE OF LAW v. CORNELL -
SATURDAY, OCTOBER 17 - EMPLOYMENT LAW MEDIATION

RUTGERS UNIVERSITY v. CORNELL - SATURDAY, OCTOBER 24 -
GRIEVANCE ARBITRATION/MEDIATION

OHIO STATE UNIVERSITY'S MORITZ COLLEGE OF LAW v. CORNELL - THURSDAY, NOVEMBER 12 - ADR HYBRID EXERCISE: ARB-MED

FALL 2015 ADR LABS

(ADR "Labs" are on-campus, mini-workshops dealing with specific topics within an ADR process).

1. September 28, 7:00-8:30pm - ANGER & EMOTION IN MEDIATION
2. October 19, 7:00-8:30pm - THE USE OF BATNA WHEN MEDIATING SOCIAL & FAMILY ISSUES (Featuring Katrina Nobles)
3. OCTOBER 21, 4:00-5:30pm - ARBITRATION LAB: DECIDING WHETHER TO GO TO ARBITRATION (Featuring Barry Hartstein)
4. NOVEMBER 14, 4:00-5:30pm - HOW THE CAUCUS CAN HELP/HURT THE MEDIATION PROCESS
5. NOVEMBER 19, 7:00-8:30pm - EVIDENCE IN ARBITRATION



PROGRAM SHOWCASE THE UNITED STATES NUCLEAR REGULATORY COMMISSION'S ADR PROGRAM: A UNIQUE PARTNERSHIP WITH CORNELL'S SCHEINMAN INSTITUTE

Widely viewed as one of the most innovative dispute resolution programs in the federal sector, the NRC's mediation program relies on the Scheinman Institute for two important services:

1. The Institute serves as the Neutral Administrator for the program;
2. Cornell's National Roster of Neutrals serves as the exclusive source for all NRC mediations. Mediators are trained jointly by the Institute and the NRC.

Providing expert ADR administration is Cornell's Traci Morse. Traci, who has been with Cornell University since 1990, serves as the NRC's ADR Program Manager.

The Scheinman Institute is proud of its thirteen-year history of assisting the NRC, employers and employees in resolving important and complex issues impacting the nuclear power industry.



The NRC's own description of the program reads as follows:

This ADR program is comprised of two entirely different sub-programs; the first is pre-investigation and the second is post-investigation. The first sub-program, commonly referred to as "Early ADR," is offered prior to the initiation of an investigation by the NRC's Office of Investigations (OI). Early ADR is available to allegers and their employers for resolving allegations of discrimination only. The second sub-program, commonly referred to as "Post-Investigation ADR," is offered at three stages after the completion of an investigation by OI. Post-Investigation ADR is available to licensees (including contractors and employees) and the NRC for resolving wrongdoing cases where the NRC has concluded that enforcement may be warranted.

For more information about the NRC-Cornell ADR Program, please contact Traci Morse at t1m6@cornell.edu

CORNELL LAW SCHOOL GRADUATE: SHIRA GOLDMAN MOYAL

Award-winning Cornell Law School graduate Shira Goldman Moyal earned her LLM in 2015. Her final paper in Professor Rocco Scanza's course in Mediation has been selected for publication in the upcoming edition of the Dispute Resolution Journal, published by Juris Press

and the American Arbitration Association.



In her paper, "Strategies and Techniques of Shakespeare's Creative Mediators," Shira masterfully weaves stories and dialogue from Measure for Measure and The Tempest to illustrate techniques, strategies and even risks and questionable approaches mediators sometimes take in attempting to resolve conflicts. It's clever, quite humorous and

very insightful. Simply put, we

believe this is an exceptional piece of writing.

A brief description of Shira's analysis follows:

Strategies and Techniques of Shakespeare's Creative Mediators

More than a form of alternative dispute resolution, mediation is also an art and a skill, not unlike a playwright's craft. Adopting a mediator's perspective sheds light on Shakespeare's oeuvre, unveiling countless instances of mediation, some facilitative, others evaluative, still others transformative. Focusing on two skilled mediators in Measure for Measure and a third in The Tempest reveals the strategies, techniques and hidden talents stowed in the mediator's toolbox. By employing anything from a fine chisel to a sledgehammer, Shakespeare's mediators demonstrate that while modern mediation is a recent construct, the strategies, techniques and tools they implement are universal.

To read Shira's paper and the superb writings of five of her recent Cornell classmates, see the Dispute Resolution Journal, Volume 70, No. 3, 2015.

SCANZA NAMED CO-CHAIR OF THE CORNELL UNIVERSITY HEARING BOARD

Cornell University's new president, Elizabeth Garrett has appointed Rocco M. Scanza as Co-Chair of the University Hearing Board. Scanza, who serves as the executive director of the Scheinman Institute on Conflict Resolution, stated "I am honored to serve as co-chair of the University Hearing Board. This appointment reflects the increasing role our Institute plays in educating the Cornell community on the benefits of conflict resolution procedures and processes. I am committed to working with the Judicial Administrator's office and all others to ensure that our Campus Code of Conduct achieves its notable goals."

Cornell Code of Conduct - The essential purpose of the University's governing of community conduct is to protect and promote the University community's pursuit of its educational goals. The University, as an educational institution, has a special set of interests and purposes, the protection and promotion of which are essential to its effective functioning. These interests, with respect to the governing of community conduct, include the following:

1. the opportunity of all members of the University community to attain their educational objectives;
2. the generation and maintenance of an intellectual and educational atmosphere throughout the University community; and
3. the protection of the health, safety, welfare, property, and human rights of all members of the University community, and

the safety, property, and reputational interests of the University itself. These general interests, of course, are also the subject matter of the public laws of the state and nation.

Scanza's appointment is for a two year term, ending on May 31, 2017.



Campus Code of Conduct

As of September 26, 2014



Cornell University



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ILR School

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The ILR School: Advancing the World of Work

Founded in 1945 as the New York State School of Industrial and Labor Relations and known today as ILR, we help people around the globe to work better and live better. We prepare leaders. We inform policy. We improve workplace practice. We impact working lives.

Extension and Outreach are where theory and practice come together. Part of ILR's broad mandate includes translating what we learn through research and what we teach in the classroom into resources for the workplace. Through a range of outreach programs, services, and activities, ILR expertise on workplace issues is readily accessible to organizations, managers and practitioners, union leaders and members, policy makers, and working adults.

The Scheinman Institute on Conflict Resolution

The Institute combines the academic depth of an Ivy-league Institution with the practical knowledge of leading practitioners to create permanent capacity in organizations and deep, lasting skills in individuals. The Institute operates under the principle that conflict is an inevitable part of human interaction, and its resolution is an essential tool to learn larger lessons and promote organizational reform.