

ERIC J. SCHMERTZ

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I am a professional labor-management arbitrator; a tenured, full professor of law occupying an endowed Chair; "of counsel" to a national law firm; a gubernatorial appointed State official; a former law school Dean and a former Commissioner of the City of New York.

My original plan was to enter the diplomatic service. (See attached "Man in the News" articles from the New York Times and the New York Post which make reference to that ambition and which note similarities between arbitration and diplomacy).

My education was first so directed:

Graduated New Rochelle High School,
1943 receiving the George M. Davis
Memorial Prize in Social Science

Graduated Union College, A.B. degree,
1948, with honors in Government.

Attended Alliance Francaise, Paris,
France, 1948-1949, to gain proficiency
in the French language.

Attended School of Advanced
International Studies, Washington,
D.C. 1949-1950, to prepare for the
Foreign Service examination.

The foregoing was twice interrupted:

By service in World War II as an
Ensign and Lt. (jg), United States
Navy, in the Pacific aboard USS Ancon
AGC-4.

By my father's death which required
leaving the School of Advanced
International Studies to go to work.

When I left the School of Advanced International Studies an official of the Department of State suggested that to meet my immediate employment needs I should work for a labor union and aim, later, for a labor attaché appointment. Following that advice I worked for:

The International Ladies Garment
Workers Union from 1949-1950 as an
educational director.

ERIC J. SCHMERTZ

The American Federation of State, County and Municipal Employees AFL-CIO, from 1950-1952 as an international representative.

Thereafter I worked for:

The Metal Textile Corporation (subsidiary of General Cable Corporation) as labor relations director, from 1957-1959.

The American Arbitration Association, as assistant vice President and director of labor tribunals, from 1952-1957, 1959-1960.

During these periods of employment I gained an interest and experience in labor-management relations and the law, which changed my employment plans and which, over the 25 years thereafter developed in to a concurrent three pronged career; as one of the country's busiest labor-management arbitrators; as a legal educator and (for significant periods) in public service. Key events along the way were:

Graduated from the New York University School of Law (night studies) with J.D. degree in 1954. Admitted to New York State Bar (Martindale-Hubbell "a.v." rating.)

Served as Executive Director and Member, New York State Board of Mediation (by appointment of Governor Nelson A. Rockefeller), 1960-1968.

Began teaching at Hofstra University, first in its School of Business (1962-1970) and then as a Professor of Law on the inaugural faculty of its School of Law, 1971.

By appointment of the City of New York and its municipal unions, served as one of the three impartial Members of the Office of Collective Bargaining, 1968-1980.

Named Edward F. Carlough Distinguished Professor of Labor Law (Hofstra Law School's first endowed Chair), 1981.

ERIC J. SCHMERTZ

Became Dean of the Hofstra University School of Law in 1982, and served in that capacity until June 1, 1989.

Became counsel to Rivkin, Radler, Bayh, Hart & Kremer, June 2, 1989.

Served as Commissioner of Labor Relations of The City of New York, 1990-1991 (by appointment of Mayor David N. Dinkins).

Appointed by Governor Cuomo as Member, New York State Public Employment Relations Board, 1991-

Built a private labor-management arbitration and mediation practice highlighted by such activity as:

Ad hoc arbitration cases in a wide range of industries since 1962 (over 10,000 decisions to date).

Past and present Permanent Chairmanships or Umpireships include:

New York City Nursing Home Industry and Service Employees International Union.

Jonathan Logan Corporation and International Ladies Garment Workers Union.

General Electric Corporation and International Union of Electrical Workers.

Motion Picture Film Laboratory and IATSE.

New York Bus Service and Transport Workers Union of America.

Port of New York-New Jersey Authority and Transport Workers Union.

New York Shipping Association and Radio Officers Union.

General Dynamics Corporation (Electric Boat) and various craft unions.

ERIC J. SCHMERTZ

New York City Taxicab Industry and Metropolitan Taxicab Union.

New York and New Jersey Brewery Industry and Teamsters Union.

New York City Milk Dealers and Teamsters Union.

City of New York and Uniformed Firefighter and Fire Officers Unions.

Off-Track Betting Corporation and American Federation of State, County and Municipal Employees Union.

Referee of disciplinary cases, New York City Transit Authority.

International Ladies Garment Workers Union and Office of Professional Employees International Union.

New Jersey Newspapers and Typographical Union.

Nuclear Laboratory Industry and Utility Workers Union.

New York Telephone and Communications Workers of America.

Trans World Airlines and Federation of Flight Attendants.

Consultant to labor, industry, and the governments of the Philippines and Thailand to establish private labor-management arbitration systems for those countries, 1974, 1976 and 1978.

Member, American Bar Association, New York State Bar Association, Bar Associations of the City of New York and Nassau and Suffolk counties, National Academy of Arbitrators, American Arbitration Association, panels of Federal Mediation and Conciliation Service and various state and local mediation agencies.

ERIC J. SCHMERTZ

Other public service activities include:

Chairman of Mayor's (New York City) Fact Finding Panel in dispute over discharge of ferry boat workers, 1966.

Chief Mediator, Mediator, Chairman or member of impasse panels in contract disputes between City of New York and Firefighter and Fire Officer Unions, 1966, 1969, 1974.

Public member, Health Industry Wage and Salary Committee, United States Cost of Living Council, 1973.

Arbitrator of "inside men" dispute in New York City taxicab strike, 1966.

Special Mediator in "Rockettes" (AGVA) and Radio City Music Hall strike, 1967.

Special Mediator by appointment of Mayor, New York City Day Care Center strike, 1969.

Fact Finder in contract dispute between Philadelphia Transportation System (SEPTA) and Transport Workers Union of America, 1975.

Mediator by appointment of the Superior Court of Massachusetts in state-wide strike of State employees, 1976.

Fact Finder, contract negotiations, State of Illinois, and American Federation of State, County and Municipal Employees, 1977.

Chairman, Board of Inquiry, New York Metropolitan Nursing Home Association and Service Employees International Union, 1977 and 1978.

Member, Arbitration Board, City of New York and Union Coalition, 1978.

Special Mediator of the New York City apartment house strike, 1979.

ERIC J. SCHMERTZ

Arbitrator of new contract terms, City of Chicago and Uniform Firefighter Association of Chicago, 1981.

Director, Dwight D. Eisenhower International Presidential Conference, Hofstra University, 1984.

Arbitrator of new contract terms, State of Connecticut and State Employees Union, 1987.

Appointed by Federal Judge Robert W. Sweet as Special Master to resolve internal disputes in Local 1199 Drug, Hospital and Health Care Employees Union, RWDSU/AFL-CIO, 1988.

Mediator, New York City private haulage strike, 1991.

Member, Board of Directors, Wilshire Oil Company, 1986-

Principal writings and speeches include:

Management and Regulation of Metropolitan New York Milk Industry: Volumes I and II, Hofstra University Yearbook of Business, 1969 (Editor, with J. Sirefman).

Grievance Arbitration in the Public Sector: NYU Labor Conference, 1971.
Pragmatic Fact-Finding, An Alternative to the Strike? NYU Law Center Bulletin, 1971.

Personnel Cuts in NYC Fire Department: The Public Safety and the Role of the Impartial Chairman: Employee Relations Journal, September 1976.

Health Care Disputes and the Arbitrator: National Academy of Arbitrators Convention, 1977.

Fact Finding in State Employment: Convention, American Federation of State, County and Municipal Employees, AFL-CIO, 1977.

Compulsory Arbitration Revisited: The Relevance of the Public Sector Experience to Private Sector Arbitration Journal of the Philippines, Vol. II, No. 1, October 1977: Management for the Future: McGraw-Hill, Marsh 1978.

Arbitration Training Program and Course for Philippine Arbitrators: Asian-American Free Labor Institute: June 1977.

Value Judgments in Arbitration: Case Study of Saul Wallen Book Review (with J. Sirefman) Hofstra Law Review, Vol. 6, No. 2, 1978.

Productivity Bargaining: The Public Sector: Productivity Analysis at the Organizational Level: Martinus Nijhoff Publishing, 1979.

Givebacks, Deferrals and Moratoriums: American Arbitration Association, Arbitration Day, 1980.

Interest Arbitration: Governor's Conference on Public Sector Labor Law, Albany, New York, November 1980.

Politics of Labor Unions: Proceedings, Conference on Corporate and Labor Political Activity, Hofstra University, November 1980.

Voluntary, Compulsory Arbitration: Inaugural lecture, Beckley endowed Chair in Business, University of Vermont, November 1981.

The Role of the Neutral in Collective Bargaining: American Arbitration Association's Arbitration Day, June 1982.

Commencement Address: Graduation exercises, Hofstra Law School, May 1982.

Expanded Role of Neutrals: Meeting, Industrial and Labor Relations School, Cornell University, February 1983.

Current Issues In Labor Arbitration:
Second Bermuda International
Conference, April 1983.

The Transferability of Big Cases From
Litigation to Alternative Dispute
Settlement Forums: Society of
Professionals in Dispute Resolution,
Philadelphia, October 1983.

Uniqueness of American Labor-
Management Arbitration Process:
International Bar Association
Convention, February 1984.

Is There a Glut of Lawyers? If so,
What Should Be Done? Phi Beta Kappa
Society, October 1984.

Some New Ideas to Resolve Labor-
Management Disputes: Boston Bar
Association-Boston University Law
School Labor Conference, November
1986.

Mandatory Drug Testing in the Work
Place: Second Annual Honorable Frank
A. Gulotta Lecture, Nassau County Bar
Association, 1987.

The Relevance of Four Years to the
Subsequent Forty Years: Banquet
Address, 40th Reunion of the Class of
1948, Union College, June 1988.

Deregulation and Its Effect on Labor
Relations: A Neutrals View: 6th
Annual Edward F. Carlough Labor Law
Conference, Hofstra Law School and
Queens College of Cambridge
University, Cambridge, England, July
1988.

Judicial Review of Arbitration
Decisions: Keynote Address, Rhode
Island Bar Association Conference,
March 18, 1989.

Professional Conduct of Parties to
Arbitration: Arbitration Day,
American Arbitration Association,
April 14, 1989.

ERIC J. SCHMERTZ

There is Nothing Wrong With Litigation: Principal Address, Inn of Court, Federal District Court, June 5, 1989.

Public Sector Collective Bargaining During a Financial Crisis: Pace Law School; New York State United Teachers Annual Convention; Harvard Law School Faculty Meeting; Law Committee, American Arbitration; IRRA Conference, and ALRA and AAA Annual Conventions, 1991; Visiting Professor SUNY, November 1991.

Recognition for the foregoing activities took the following forms:

Biographies in:

Marquis: Who's Who in America.
Marquis: Who's Who in American Law.
Marquis: Who's Who in the World.
New York Times: Who's Who in Labor.
Directory of American Law Teachers.

Recipient Testimonial Award, Southeast Republican Club, 1969.

First Recipient, American Arbitration Association's J. Noble Braden Chair of Arbitration, 1972.

"Man in the News": New York Times, January 9, 1971.

"Man in the News": New York Post, April 10, 1971.

Profile: Wall Street Journal, September 20, 1972.

Profile: Boston Globe, June 24, 1976.

Profile of a Mediator: NBC-TV News, May 2, 1979.

Profile: Newsday Magazine, March 27, 1977.

Profile: Newsday, January 1981.

Profile: New York Law Journal, June 6, 1988.

Profile: Newsday, January 16, 1989.

Profile: Manhattan Lawyer, March 1991.

Profile: New York Times, March 11, 1991.

Interview: Newsday, March 18, 1991.

ERIC J. SCHMERTZ .

Honorary Doctor of Laws Degree, Union College, 1978; Board of Trustees, Union College, 1980-1983.

Legislative Resolution: New York State Senate: February 17, 1982:

Commendation on Inauguration as Dean of Hofstra University School of Law.

1983 Alexander Hamilton Award: "The Outstanding New York State Lawyer."

Whitney North Seymour, Sr. Medal: "For Outstanding Contributions to the Use of Arbitration": American Arbitration Association, 1984.

Distinguished Alumni Award, 1986, New Rochelle High School.

Member, Board of Directors, American Arbitration Association, 1987-

Honorary Alumnus: Hofstra University, 1991.

Personal

Born: December 24, 1925, New York City
Married: Four Children
Member: Princeton Club
Hofstra University Club

ERIC J. SCHMERTZ

ADDENDUM

1992

Impartial Chairman:

Wesleyan University -and- Office and Professional
Employees Union. April 1992

New York Shipping Association -and- International
Longshoremens Association. April 1992

Appointed by President Bush as Member
Presidential Emergency Boards:

RE: Labor Disputes between National Freight
Carriers, Conrail and Amtrak -and-
Various Railroad Union. April 1992 - May 1992

Director:

Ronald Reagan Presidential Conference:
Hofstra University. April 1993

Appointed By: Bronx Borough President Fernando Ferrer as
Chairman, Commission on the Establishment of
a Bronx Youth Conservation Corps, 1992