

John Kagel's Story

John's father **Sam Kagel (1909-2007)** was a pioneer labor arbitrator and mediator in the San Francisco Bay Area, 1941-2006.

Sam attended UC Berkeley for undergraduate and graduate school in economics until 1929. He began his career with a job in the California State Bureau of Labor Statistics in the 1930s; he got the job and took it even though he hadn't completed his thesis due to the Depression/Crash. From there, he went to work for the Pacific Coast Labor Bureau.

While at Pacific Coast Labor Bureau, Sam represented the marine engineers and many other unions. This role gave him a seat on the Steering Committee of the 1934 Waterfront Strike.

During WWII, Sam was the deputy chief of the Northern California Manpower Board. After WWII, he attended UC Berkeley Boalt School of Law and graduated in 1948.

By 1945, Sam had "neutralized" his work in labor relations, and began work as a mutually-selected arbitrator, rather than a labor representative.

John says his father was "not a joiner", perhaps leaned left/liberal personally, but valued his work and position, and did not get involved in politics. Union representation was a better fit for his personality, when he was younger. He enjoyed the autonomy and neutrality of arbitration and could stay above the fray. He ran very tight hearings.

Sam taught labor law from 1947 until 1968. As a professor, John says Sam enjoyed the collegiality with students and colleagues. He also probably didn't mind the respect and admiration shown him by the academy. Sam pioneered a course in teaching negotiation, arbitration, and mediation. He wrote texts on the practical skills necessary for this work.

Among Sam's many high profile negotiations & roles:

- 1968 SF Newspaper Strike (appointed by mayor to mediate)
- 1982 National Football League Strike
- Longshoreman's Pacific Coast arbitrator for fifty-three years (mutually selected by the parties); he successfully negotiated the conclusion to a seventy-three-day strike, among other accomplishments – John Kagel was selected to succeed his father in this position in 2003.
- Nursing strikes in SF and East Bay
- SF Opera mediation.
- Restaurant strike
- Arbitrator for beverage industry; garment workers since 1948
- Set up the BART labor relations structure (1968)
- Revised the California Arbitration Code
- Consulted on creation of international arbitration structures for the State Department
- Arbitrator/mediator in Catholic Church in disputes between dioceses over bequests and other issues

John says his father witnessed incremental change and progress in labor relations.

John Kagel grew up in Berkeley, graduated UC Berkeley in 1961 and UC Berkeley Boalt School of Law 1964. He served in Army JAG, exited in 1967, and returned to San Francisco.

His father Sam had set up a law firm under the name Kagel & Kagel, without asking John. He was “a pretty forceful guy”, but the two worked well together professionally. They worked together from 1968 until 2006.

John heard arbitration cases in place of Sam during the 1968 SF newspaper strike.

The place of labor relations in our economy and society has changed: unions represent fewer workers and fewer industries are unionized. Therefore, the mediator/arbitrator now has fewer places to be influential than in labor’s heyday.

Reflecting on a personal connection to history:

It is important to tell interesting and entertaining history. It does help to know that there have been problems in the past, and how people have responded to them. People’s lives are interesting – what they have lived through and accomplished.

The labor history of SF and the Bay Area is full of “people of goodwill who thought about things rather than just kicked the can.”

“There’s no labor history (in SF) because there is no labor.” Manufacturing and industry have moved out, people have been replaced by mechanized systems (especially on the waterfront); service industries and the public sector are ascending.

Handy definitions:

Mediation – hired by both parties to bring them together, facilitate productive discussions, suggest resolutions; mediator has no real power because parties can quit mediating unilaterally.

Arbitration – both parties give the arbitrator the authority to make a legally binding decision.

Family History

John’s paternal grandparents were Jewish emigrants from Moldova who left to escape the pogroms.

Sam Kagel was born in San Francisco, lived in Oakland as a boy. He attended Oakland High School and UC Berkeley.

John’s mother, **Sophia Hornstein**, grew up in Sacramento and San Francisco. She was active in volunteering for the Red Cross and Alta Bates Hospital. Sophia and Sam split up in the 1970s.

Sam’s second wife, **Jeanne Ames**, was a pioneer in family law in San Francisco and the use of mediation in child custody proceedings.