

TUNE IN TO THE  
SOUND OF DEMOCRACY

## Justice Talking's Radio in Print

*Erin Mooney, a producer for NPR's Justice Talking, spoke with Richard Bloch, an arbitrator who has handled labor disputes, about what it's like to negotiate between major players, from unions to the National Football League.*

**MARGOT ADLER:** When union negotiations with management seem intractable and the battle lines have been firmly drawn, an arbitrator often gets called in to settle the conflict. The job calls for neutrality, fairness and a strong backbone. For Richard Bloch, who makes his living as an arbitrator, it means jumping into the most heated labor battles in America. Justice Talking's Erin Mooney talked to him about what it's like to be a professional arbitrator.

**ERIN MOONEY:** Richard Bloch is an arbitrator and mediator of labor disputes. I reached him at his office in Washington, D.C. So tell me, what's the difference between arbitration and mediation?

**RICHARD BLOCH:** Well, Erin, arbitration is in the nature of a judicial proceeding, where the parties are posing a question or series of questions to the arbitrator and expecting an answer. It's just as a court would give an answer—someone wins, someone loses. Mediation, on the other hand, is a process of attempting to get a consensual resolution—trying to get people to agree. And it's not a question necessarily of right or wrong. It's a question of what the parties can live with.

**ERIN MOONEY:** So when I look at your bio, you've been involved with everyone from NBC to major league baseball. You just were involved with a dispute within the NFL in the Eagles vs. Terrell Owens case.

**RICHARD BLOCH:** That's right.

**ERIN MOONEY:** You know, you've done lots of union negotiations. You've come in at tough moments when the United Steel Workers are at a sticking point. How'd you get into the business of getting involved in some of the biggest disputes in our country's history?

RICHARD BLOCH: I've been very fortunate. Arbitration is something I wanted to do from the moment I got into law school and had a few labor law courses. And I was very fortunate to have terrific mentors and guides in the business who were willing to share and to teach and to critique—to bring me along. And to let the parties know that as a young man I was available to do this.

ERIN MOONEY: And I would imagine that's the only way you can really get these gigs is by being a trusted name.

RICHARD BLOCH: Well certainly the parties have to have confidence in what you're doing. One of the virtues of arbitration is that if they don't like what you've done, if they disagree with the results, then they'll just choose another arbitrator. That's one of the beauties of the process—that you can basically choose your judge from case to case.

ERIN MOONEY: So in your spare time when you're not resolving incredibly heated disputes, you are a magician.

RICHARD BLOCH: Yeah, from time to time I do that. You know, if the arbitration business goes downhill, it's always good to have a backup in something stable like show business.

ERIN MOONEY: Right. You can always make your money busking on a street corner.

RICHARD BLOCH: That's right.

ERIN MOONEY: So do you use any of those techniques for magic in your work as an arbitrator?

RICHARD BLOCH: I don't think so.

ERIN MOONEY: No slight of hand?

RICHARD BLOCH: The clients may have a different view of that, but that's certainly not my intent.

ERIN MOONEY: Right, right. So are you the kind of person that your friends and family call on to settle disputes? I mean, do friends who are having marital difficulties call you in? Do you use your skills in other ways like that?

RICHARD BLOCH: You know it is a discipline that is certainly applicable to non-labor or commercial disputes. And there are those who really do have a terrific practice in doing things precisely like family and marital mediation and arbitration. I do not. And I generally decline requests from friends or family for the obvious reason—that that's just a no-win situation. And I'm sure that my kids would tell you that I don't use any mediation skills; I just try to tell them that, listen, it's what I say and it's the law. They don't believe it, but I say it.

ERIN MOONEY: And you're married, right?

RICHARD BLOCH: I am.

ERIN MOONEY: How does that play out with your wife?

RICHARD BLOCH: Susan is a professor of constitutional law at Georgetown.

ERIN MOONEY: So she gives you a good run for the money.

RICHARD BLOCH: Oh yeah. She doesn't take anything I say at face value and with good reason.

ERIN MOONEY: Well, thanks so much for talking with us today.

RICHARD BLOCH: It's a pleasure.

ERIN MOONEY: Richard Bloch is a mediator and arbitrator of labor and commercial disputes. I reached him at his office in Washington, D.C.

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