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Convocation Inaugurating the Samuel M Kaynard Distinguished Visiting Professorship in Labor and Employment Law

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Convocation Inaugurating the Samuel M. Kaynard Distinguished Visiting Professorship in Labor and Employment Law

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CONVOCATION INAUGURATING THE SAMUEL M. KAYNARD DISTINGUISHED VISITING PROFESSORSHIP IN LABOR AND EMPLOYMENT LAW*

SEPTEMBER 21, 2000

Good afternoon. I am Stuart Rabinowitz,¹ the Dean of the Law School, and I am delighted to welcome you to this Convocation at which we will mark two significant steps in the Law School's continued development: the inauguration of the Samuel M. Kaynard Distinguished Visiting Professorship in Labor and Employment Law; and the installation of Meryl R. Kaynard as the very first holder of this prestigious academic honor. Meryl is an extraordinarily skilled, knowledgeable and highly respected labor lawyer who also happens to be Sam's daughter. I know that somewhere Sam is grinning ear to ear.

I would like to begin the program by introducing several members of the Kaynard family who have joined us this evening and ask them to stand: first, Ann Kaynard, Sam and Ann's daughter; Meryl, and her husband, Jerry Wall; and their daughters Rebecca and Emma; Sam and Ann's son, Alan Kaynard, and his wife Joyce and their daughter Natalie. We also have Elise Passikoff, a close cousin to Sam, and Elise's

* These speeches are unedited and in original form to preserve the integrity of the Convocation.

1. Andrew M. Boas and Mark L. Claster Distinguished Professor of Civil Procedure.

husband Matt Fleury and their children Hanna and Clark; and Elise's brother, Robert Passikoff and wife Marilyn. Finally, Ann's brother Jack Ostrow and Meryl's cousins, Steve and Rona Ostrow.

We are deeply grateful to the Kaynard family for their generosity, and to the many of Sam's friends, former students and colleagues, who also contributed their support in establishing this endowed Professorship which will allow us to honor Sam in perpetuity. And it honors him in a completely appropriate manner since it will further the mission which was so central to his professional life—this professorship will enable Hofstra Law School to add depth and perspective to its rich labor law curriculum by helping us attract to our faculty some of the most successful and knowledgeable practitioners in the field.

You will hear much about the life and extraordinary accomplishments of Sam from other speakers this afternoon. But since I had the privilege of knowing him as a friend and colleague for over twenty years, I can't resist the opportunity to offer a few of my own thoughts about him and what he meant to this law school. As I wrote in the Fall 1997 issue of the Hofstra Labor & Employment Law Journal which was dedicated to Sam's Memory:

[Professor Kaynard] was a brilliant and beloved educator and a [dedicated and effective public servant], and a superb practitioner He inspired generations of law students and served as mentor for countless numbers of young lawyers who worked with him. His zest for life and enthusiasm about the law were infectious. He brightened my day, and those of his colleagues and his students, each [and every] time we saw him. [He is irreplaceable.] We will miss him.²

The establishment of this Professorship will ensure that Sam's professional legacy will live on for the generations of our students who will be taught by the Distinguished Visiting Professors who will join our faculty because of the privilege of having their names associated with that of Sam Kaynard.

It is now my honor to introduce to you the person who has been the primary architect of Hofstra University's remarkable success over the past twenty-five years, our President, Dr. James M. Stuart.

2. 15 HOF. LAB. & EMP. L.J. 1,1 (1997).

REMARKS BY DR. JAMES M. SHUART³

On behalf of the Trustees of Hofstra University and Provost Herman Berliner, I bid you good afternoon and welcome to this very special Convocation.

It seems like only yesterday, when the Hofstra University family was shocked by the untimely loss of our good friend and colleague, Sam Kaynard.

Professor Kaynard was a world class educator and a superb lawyer. He was also a remarkable man who added life to our campus—in the Law School and beyond.

We are reminded of Sam's good work every day when we look at the achievements of the Hofstra Law School and the many men and women he taught and mentored.

Today, we celebrate the establishment of a distinguished visiting professorship named for Sam and a very special achievement of Samuel M. Kaynard, his daughter Meryl as the first recipient of that professorship.

This new professor, whom you will meet in a few moments, has earned a well-deserved reputation of prominence in her field over her twenty-year career.

I am delighted that the School of Law has chosen to honor Meryl Kaynard as the Samuel M. Kaynard Visiting Professor of Labor and Employment Law.

What a wonderful coming together as Meryl is honored by the outstanding achievements of her father, as exemplified through the Sam Kaynard Professorship. And, at the same time, she will have a continuing opportunity to honor her father through excellence in her academic performance at Hofstra.

I am pleased to join Dean Rabinowitz and the faculty of the Hofstra University School of Law in thanking Sam's beloved wife Ann for joining us this afternoon as we welcome Meryl to the faculty of Hofstra University.

Sam would be very proud today.

Thank you very much for coming.

3. President, Hofstra University.

INTRODUCTION OF ERIC J. SCHMERTZ

Our next speaker, Professor Eric J. Schmertz, is a highly regarded teacher, commentator, and expert in labor law. He is also one of the nation's most prominent labor arbitrators and mediators and has been for more than forty years.

During his outstanding career, Eric has also served in a variety of important public service positions, including his tenure as Commissioner of Labor for the City of New York, during the administration of Mayor David Dinkins. And his reputation is not only national, but also international in scope, as is exemplified by the fact that Eric was commissioned by the governments of the Philippines and Thailand to set up arbitration systems for those countries.

In addition to all this, Hofstra University and Hofstra Law School owe Eric Schmertz a great deal of gratitude for the many contributions which he has made over the years to our growth and success. He was a founding member of the Law School faculty and remains to date as a Distinguished Professor Emeritus. Indeed, it is fair to say that he is primarily responsible for the overall design and development of our strong labor law curriculum. In 1981, Eric was named the Edward F. Carlough Distinguished Professor of Labor Law at Hofstra, occupying our very first endowed chair; and of course, he was my immediate predecessor as Dean of the Law School, serving seven extremely effective and successful years in that position. Not only was Eric one of Sam's closest friends, but he is responsible for Sam's connection to Hofstra since it was Eric who recruited and hired Sam during his tenure as Dean. And lastly, Eric has also been the moving force behind the creation of this Distinguished Professorship.

Therefore, it is my pleasure to now call upon Eric Schmertz⁴ to offer some remarks.

A SHORT CONVERSATION WITH SAM KAYNARD

What would Sam say about this Convocation establishing the Samuel M. Kaynard Distinguished Visiting Professorship in Labor and Employment Law?

He'd say: "It's about time—what took you so long?"

My answer: "We wanted your Professorship to be the first of the

4. Distinguished Professor Emeritus of Law.

new millennium.”

Sam’s response: “I prefer the old millennium.”

He would tell me it really was because of my lack of clout—reminding me that to this day—and over the last three years I couldn’t get a meeting with Joe Mondello—I’d change the subject and tell him that we have a “full house” today—of friends, family, colleagues, students, faculty and administrators.

His response: “Is anyone taking photographs?—including photos of the food at the reception and of the waiters and waitresses.”

He’d remind me of our labor law conference at the Tel Aviv Law School in Israel—where the audience numbered about twenty—but where Sam took multiple photos of those twenty, from multiple angles—and then pasted them together into a montage, showing, falsely, a large audience. Then we submitted our expense accounts to the University.

And on that trip where Sam got us all upgraded to first class by speaking Yiddish to an El Al official whose name I’ll never forget—“Schmoil.” While he was at it, he’d remind me of our conference at Cambridge in England—where we each read a paper—except Sam. As his paper was the most scholarly, he was to be the last presenter. But time ran out (because Charlie Moerdler of Strook, Strook & Lavan spoke twice as long as the time allotted to him). The moderator told Sam that there was no time to read his paper—but Sam delivered the paper nonetheless—physically and most demonstrably—by “deliver[ing]” [it] to the moderator. We always said thereafter that Sam delivered a scholarly paper at Cambridge.

When I asked Sam to join the Hofstra Law School faculty, full time, after his retirement from the Labor Board, he agreed—but “full time” for Sam was indeed full time at Hofstra and part time at Fordham, NYU, St. Johns, Cardozo, Pace and Cornell.

You should have heard the conversation between us about that!

But if you asked Sam why we are doing this today, he’d demur—But he would know why—because he developed the most comprehensive and best labor law program at any law school.

Because he taught brilliantly.

Because he loved his students and was beloved by them.

Because he took a fledgling labor law journal and guided it to its present prominent stature.

Because he maintained labor law and employment law liaisons with the various professional organizations and practicing lawyers in the field—for student internships and jobs. Because he added stature,

experience, and prestige to our faculty and curriculum.

Because future lawyers should be influenced by him, through this Professorship in perpetuity.

Because, with his beloved Ann, he was at every law school function and where there was dancing, how well they danced and danced and danced.

Because he was my dear, generous, and supportive friend.

He would know that many people helped make today possible. President Shuart, the Trustees, Provost Berliner, Dean Rabinowitz, the Dean's staff, including Barbara Birch and Candice Goldstein, the relentless staff of the Hofstra Labor & Employment Law Journal, the members of Bar Association Labor and Employment Law Committees, Laura Rich and Ed Silver—who helped organize the endowment campaign, the many donors to the endowment and the loving support of his family, including the happy and professionally appropriate appointment of Meryl as the first Distinguished Visiting Kaynard Professor.

Sam would be honored and would thank all for this, but I think the thanks goes to him, for his life, his career, his profound presence, and his charismatic and compelling personality; which make this honor in his memory so richly deserved.

Sam would have the last word—and you know what it would be:

“Love Ya!”

INTRODUCTION OF JOHN D. FEERICK

Our principle speaker this afternoon, Dean John D. Feerick has achieved a truly unique status. He has earned a well-deserved reputation for excellence as a national leader in two different fields of endeavor—legal education and the practice of labor law. He was also a dear friend of Sam's.

Dean Feerick has served as Dean of Fordham University School of Law since July 1982. That's right, 1982. Perhaps his most startling accomplishment is that Dean Feerick has not only spent a tremendously successful and incredibly effective eighteen years thus far as Dean, but also that he is still revered by his faculty. Indeed, I have it on good authority that each and every one of the Fordham faculty refers to Dean Feerick by their nickname for him—“John, the Good.” To put that in some perspective, I would hazard an educated guess that while the Hofstra Faculty probably has a “nickname” for me, it is likely to be

strikingly different from John's.

Before his tenure as Dean, John practiced law from 1961-1982 at the firm of Skadden, Arps, Slate, Meagher & Flom, as a partner from 1968 to 1982, developing its labor and employment law practice. He is also currently serving as the first occupant of the Peter P. Mullen Visiting Professorship of Law at Georgetown University.

During his tenure as Dean at Fordham Law School, John has served in many public positions: as a member of the New York State Law Revision Commission; as one of two representatives of New York City to the New York City Office of Collective Bargaining; as chairman of the New York State Commission on Government Integrity; as a special New York State Attorney General; and as president of the Association of the Bar of the City of New York. He has also been a mediator and arbitrator of many disputes, including labor disputes at the Jacob K. Javits Convention Center, the 1994 transit negotiations in New York, the NFL salary cap, and recently in the NBA.

In addition, John has chaired numerous other important national, state and local bar association committees and task forces and served on several not-for-profit boards. Dean Feerick is also the author of several books, one of which was nominated for a Pulitzer Prize, and scores of articles.

Not surprisingly, he has received numerous honors and awards, including honorary degrees from the College of New Rochelle, St. Francis College and Hamilton College (May 2000).

It's my pleasure to introduce Dean John Feerick.

REMARKS BY JOHN D. FEERICK⁵

I am privileged to be asked to deliver remarks on this special occasion in the life of Hofstra Law School.

Samuel Kaynard was a giant in the law. He walked the stage during a period of other great lawyers and at a time of major changes in all areas of law, especially the field of labor law. He became a master in that field, one involving the rights of employees, employers, and labor organizations. His role was to assure fairness in the balancing of these rights as measured by the commands and dictates of federal law. He discharged this role as a public servant for forty years. He did so fairly and courageously, showing no favoritism to anyone while bringing to

5. Dean, Fordham University School of Law.

bear on each occasion a keen knowledge of the law, careful attention to the facts, and a wise and discerning judgment as to what was the right thing to do in the circumstances presented. It is noteworthy how few of his decisions were overturned by either the National Labor Relations Board or the courts. While one might disagree with a particular decision, he never gave anyone reason to question his fidelity to his oath of office. His example was of total dedication to the public trust and public interest. The Distinguished Visiting Professorship in Law that carries his name and is now publicly launched makes possible a continuation of his work in assuring that our labor and employment laws remain the best in the world.

As Hofstra inaugurates the Samuel M. Kaynard Distinguished Visiting Professorship in Labor and Employment Law, it additionally honors the contributions of other individuals in the field of labor law, whose work also has made possible a life of dignity for millions of our fellow citizens. Your former Dean, Eric Schmertz, is one such individual, an esteemed teacher and scholar and arbitrator par excellence. Another is Harold Richman, who served the NLRB for thirty-five years, working ever so closely with Sam. This Distinguished Professorship also reminds us that we owe a huge debt to individuals such as Sam Kaynard for the enormous role they played in making our society a better place.

In 1903, in a Labor Day Address given in Syracuse, Theodore Roosevelt observed that "Far and away the best prize that life offers is the chance to work hard at work worth doing."⁶ This phrase sounds so simple, and yet the promise that it contains has been so elusive in human history.

Most certainly the ascent of mankind has been predicated as much as anything else on the ability of individuals to earn a living from their labors, to freely bargain for the value of their services, and to establish and run their own business enterprises. The American civilization, in particular, has played a pivotal role in this evolution, protecting the rights of both workers and employers through legislation and regulations on the federal and state level. Only in this century, in fact, has the workplace been given the protection of national laws to assure fairness and prevent exploitation.

Sam Kaynard joined the National Labor Relations Board shortly after World War II, in which he served in the United States Army. He

6. Theodore Roosevelt, Labor Day Speech (Sept. 7, 1903).

joined the Board at a time when the Wagner Act was in its heyday and shortly before the Taft-Hartley Act and the many changes it effected in the labor laws of the United States. The arbiter of controversies and disputes under these statutes is the National Labor Relations Board and most particularly its regional offices. In his work as Regional Attorney in Region 2 and Regional Director in Region 26, Sam Kaynard played a formative role in seeing that our federal labor laws were scrupulously observed.

All kinds of cases were adjudicated in his offices. Cases involving organizational campaigns, jurisdictional disputes, refusals to bargain, boycotts, strikes, picketing and the like grew astronomically during the forty years he served as a public servant. Despite the mounting case loads and the attendant pressures, Sam and his colleagues earned an enviable reputation for the fair and prompt dispensation of industrial justice.

As he went about his important work, thoroughly, indefatigably, and exhaustively, Sam never hesitated being generous with his time and talents. He taught courses in labor law at many of the area law schools, including Brooklyn Law School and his alma mater, New York University, from which he graduated first in his class in 1942. He also taught at Pace University, Long Island University, Adelphi, Cornell, New York Law School, and Columbia. He shared his time, as well, as a speaker and panelist at numerous programs of the organized bar. He also wrote articles on labor subjects for different publications. In everything, he lived his field at the highest level of energy and excellence. He was what I would describe as one in a million.

To be a little more personal: I first met Sam Kaynard, this giant of a man, when I was a second year law student at Fordham Law School. I had no idea at the time that I would spend a substantial part of my own career in his chosen field. He was one of two representatives of government agencies who visited my school to discuss employment opportunities. I no longer recall what he said about working for the National Labor Relations Board, but I do recall the great love he expressed about his family and his roots growing up in a working class family in New York City. His remarks left an indelible impression on me because of what it signaled to a young law student about what was important in the realm of priorities. There was just something about the way he spoke of his family that I have never been able to put out of my mind.

I next met Sam (although I then never addressed him by his first

name) when I entered the labor field in 1961, upon my graduation from law school. I appeared many times before him in his various capacities for the National Labor Relations Board in its Manhattan and Brooklyn offices. I found him always incisive and decisive, if not at times intimidating, as I sought to secure justice for a client. I won some and lost some but always knew that he understood my case and did what he considered to be correct. I had many matters before him and never had reason to seek a review of any decisions he made. I knew such an effort would be in vain because of his enormous reputation for knowing the law and applying it fairly.

I recall one occasion when a client of mine whose company was the target of an organizing campaign demanded that Region 29 take steps to prevent the violence then occurring in that campaign. The client banged on Sam's desk, startling both me and those assembled in his office. Sam did not respond, seeming to understand the human emotions present. Although our evidence left much to be desired in linking the union to that violence, when I inquired whether we had a right to file an unfair labor practice charge, Sam said, "Absolutely!" As I was leaving his office, he also quietly reminded me that while I had a right to file a charge he had a right not to issue an unfair labor complaint when the evidence was insufficient. Well, I did file that charge and he did decline to issue that complaint. However, the matter had a happy ending, at least from my point of view. Sometime later, we developed sufficient evidence, re-filed the charge, and received a favorable decision by his issuance of an unfair labor practice complaint. Shortly thereafter, the union ceased its organizing efforts and the client who had banged his desk extolled the steps taken by the regional office which Sam led.

When I left the practice of labor law and entered the legal academy in 1982, I met Sam again as an adjunct professor at my law school. He taught at Fordham, for more than ten years, a number of courses that drew a large turnout of students because of his reputation as a teacher. Students spoke of him with awe and reverence, commenting on his knowledge, wit and passion for his subjects and field. He stood at the top of our adjunct faculty in popularity among our students. The late Joseph Crowley, our version of Mr. Chips, was so proud to have Sam as a member of his labor department.

After Sam joined the full-time faculty of this distinguished law school, I would see him from time to time at functions at our school and at receptions and tributes sponsored by others. He seemed to bring a camera to all of those functions, standing next to the official

photographer to take his own pictures. I don't think he ever trusted the official photographer! I can recall receiving from him some of the pictures he took in which I had appeared, a kindness I always deeply appreciated. Sam was conspicuous at all functions by the color of his tie and the expansiveness of his mustache. What was once a pencil-thin mustache had, over the years, become a bushy handlebar mustache, making him by far the most impressive person in the room. But, even without the handlebar he still would have been the most impressive since he was so charismatic.

Sam Kaynard was a wonderful human being and a dear friend to me and so many others. His passing has created a huge void in our profession. There is no one quite like him today. He is now a legend, remembered with great affection and through stories by those who knew him. To his beloved wife Ann, and his children and grandchildren, I extend my personal thanks for sharing him so completely with us. I also know that I can express the collective esteem in which he was held by all of his colleagues in government and in every part of the field of labor and employment law throughout the United States.

In the preamble to the National Labor Relations Act, Congress has noted that "industrial strife" and the upheavals caused thereby "can be avoided or substantially minimized if employers, employees, and labor organizations each recognize under law one another's legitimate rights in their relations with each other"⁷ This is certainly one of the very highest aspirations of our society, and one of the most demanding, because it challenges those with different and strongly held viewpoints and interests to come together in a common purpose to create a more fair and just world. It is citizens, like Sam Kaynard, whose lifework stands at the center of such controversies and invites us—if not requires us—to create this better world. As one who truly loved the law and the field of labor relations, I can think of no greater tribute to Sam Kaynard, or of an accolade of which he would be more proud, than the professorship bearing his name at this outstanding law school, and to have it occupied by his beloved daughter, Meryl.

Thank you.

INTRODUCTION OF MERYL KAYNARD

When it came time to select the first holder of this Professorship,

7. 29 U.S.C. §141(b).

we knew that we faced a challenging task—we needed to find someone whose skills, experience, professional credentials and dedication to both the practice of labor law and to its teaching in the academy would have satisfied Sam's exacting standards. As it turned out we didn't have to look very far from Sam's tree.

Meryl R. Kaynard has practiced for over twenty years, primarily in the field of employment law. She is a Senior Vice President and Associate General Counsel at The Chase Manhattan Bank and is the Group Head in charge of the Litigation Department's Employment Law Group. The group handles most of Chase's New York employment related litigation in-house, is responsible for employment related litigation throughout the United States, and coordinates on global employment related claims. The group also supports the Bank and Human Resources community in a variety of ways including counseling on employee relations and policy issues, merger, sale and acquisition-related issues, investigations, and employee related intellectual property and non-compete issues. Meryl is also counsel to the Bank's Minority and Women Owned Business program and is a mentor in the Bank's mentoring program.

Meryl previously practiced in this area for a management law firm, and before that was an Assistant General Counsel in the New York City Corporation Counsel's Office. Before that, Meryl clerked for a Federal District Court Judge. Meryl attended Fordham Law School and graduated from Wayne State University School of Law.

Among her many professional affiliations, Meryl is co-chair of the New York Women's Bar Association Committee on Equal Employment Opportunity for Women and is a former Board member of that Association. She is on the Advisory Board at NYU's Center for Labor and Employment Law. Meryl has spoken frequently on employment related and in-house counsel related topics including PLI's Corporate Raiding Symposium in 1999 and 2000; the NYU Center for Labor and Employment Law's Annual Employment Law Symposium; Long Island University's Continuing Education Series (Sexual Harassment and Investigations); the NYU Judiciary Training Program (ADA); the PLI's Annual Institute on Employment Law; the New York Law Journal Seminar Press Annual Employment Law Litigation Conference; and American Corporate Counsel Association Annual Conference.

Meryl was recently selected for the YWCA Academy of Women Achievers in Industry. She also serves as a mediator at the Federal District Court for the Southern District of New York.

By virtue of her experience and the nature of her practice, Meryl brings an in-depth knowledge and practical view to the field of employment law and I am delighted to introduce her to you now as the first Samuel M. Kaynard Distinguished Visiting Professor of Labor and Employment Law.

REMARKS BY MERYL R. KAYNARD⁸

Thank you for that introduction, and for the pure poetry of inviting me to be the first of a long line of Samuel M. Kaynard Distinguished Visiting Professors in Labor and Employment Law.

And thanks to you Dean Rabinowitz, President Schuart, Provost Berliner, former Dean Eric Schmertz, the Trustees of Hofstra University, the Law School Faculty, Dean John Feerick of Fordham and to the many supporters and donors who are here to celebrate with us today. Thanks also to Professors Grant Hayden and Joanna Grossman who, together, are the core labor and employment faculty at Hofstra Law School and to Assistant Dean Pat Adamski. Your enthusiasm for this Professorship has been invaluable.

We will be relying on the faculty and especially the Labor and Employment Law faculty, as well as all of you, to fulfill our promise to my Dad to remember him as a loving husband, father and grandfather, patriarch, teacher and mentor who will live in our hearts forever.

My father is beaming right now.

From the moment we were approached with this idea, our family knew it was the right and perfect way to honor him.

We thank you for establishing this dynamic professorship which will be filled annually by individuals deeply involved in the field. It will result in the presentation of courses, the preparation of lecture series, the organization of symposia and the writing of scholarly works on the latest developments and trends in labor and employment law.

WHY IS THIS THE PERFECT TRIBUTE?

First, it is perfect because it is going to take a lot of work and dedication to fulfill its promise!

As you all know, my father thought anything worth doing required dedication and hard work. I've been regaled with stories of those who

8. Samuel M. Kaynard Distinguished Visiting Professor of Labor and Employment Law.

lamented at the start of each semester about the course work and reading material assigned by my father.

Dad would have loved the dynamism, innovation, and broad focus of this Distinguished Visiting Professorship.

It's got a lot of my father's endless zeal in it doesn't it?

It's not a chair.

In the first place, it won't stand still.

It's a changing, growing professorship designed to respond to the changing times and needs of Hofstra law students.

Furthermore, the Visiting Professors themselves won't just sit in it. They'll continue their practices and other responsibilities and thus bring their real world experience and practice to the "table."

Second, it is perfect because this Professorship is in perpetuity.

Of course Dad wanted to leave a mark and to be remembered as a good teacher. But what he truly loved was the continuity of teaching and the law.

For him, both were continuous, with one generation teaching the next, and one generation of case law building on the one before.

Those of you who were his students know—and, indeed, anyone who ever asked my father a question knows—he was always insisting we go back and actually read the seminal cases in order to understand those which followed. The latest case—no matter how on point—was never enough, or to be interpreted on its own!

And with this Professorship, Hofstra students will benefit from the training of the very same law students my father once taught, and the very lawyers who practiced before him at the NLRB, and with him at Proskauer [Rose LLP].

The third reason it's perfect is because it's at Hofstra.

He loved it here.

Though he rode the circuit and was something of a legend in his time with the number of adjunct and visiting professorships he pursued, here, he found a home.

He believed in this institution and felt very much a part of its growth and purpose.

His commitment to the [Hofstra Labor & Employment Law Journal] was remarkable. Many of those students, now practicing lawyers, have shared their experiences with us. We thank them for their appreciation and for being with us today.

Fourth, it is perfect that you have invited me to initiate this Professorship.

I was thrilled to be asked to do this because I know how much teaching meant to my father and how much he wanted me to experience that same thrill and satisfaction. And I knew, of course, that it would make him happy.

I must admit, as this Convocation approached, and I saw my name in bold type on the invitation and started to receive congratulations and well wishes, I began to feel troubled by that attention. I thought, that's not what this is about—it's not about me at all, it's about my father.

But I realized the obvious. It's not just about my father.

This unique Professorship is designed to give opportunities and encouragement to others to accomplish even more.

This was very much the message my father gave when he accepted the New York State Bar Association Award for Lifetime Achievement in Labor Law. He felt that the honor was shared with the many who worked and studied with him, and who would continue to advance the practice.

And, in late September 1997, when he recognized he would be unable to complete his last course—though he tried—he thought of many of you in this room on whom he could rely to carry on, to have fun with it, and to continue the work.

So, I accept this honor as the first of many professors to enjoy this experience and take it to new heights. And, indeed, in the spirit of this Professorship I will be sharing the honor—and the work—with a wonderful colleague of mine—Melissa Gold—who, like so many of my colleagues at Chase and in the legal community, has so much enthusiasm and so much to share.

And last, it's perfect because we have a great photo op!

He managed to get the whole family together, everyone is dressed up, there is an official photographer and, as Eric notes, there is plenty of food. You can't top that!

Our thanks again to everyone on this podium, in this room, and those who contributed in so many ways—for recognizing what would “do it,” and for making it their passion and mission to get it done.

Today, like his family, you all figured out the best way to remember my father; by telling some Sam Kaynard stories, taking pictures, having a good laugh, enjoying a little labor and employment law, and having a party.

Thank you.

CLOSING REMARKS BY ANN KAYNARD

I am so happy to see all of you in this place that meant so much to my husband.

Looking out at all of you and knowing just how much Sam would have enjoyed receiving this honor and how hard he would have tried to give you all at least one more event at his own expense—I can't help thinking of what Gore Vidal said when he was informed that Truman Capote had died. He said—"That was a good career move."

On behalf of my family, I would like to give my thanks and my love to everyone of you who played a part in this tribute to Samuel M. Kaynard. We are so grateful to former Dean Eric Schmertz who invited Sam to join the faculty in the first place and who got the ball rolling. To Dean Stuart Rabinowitz who kept that ball on the court. President James Shuart, Provost Herman Berliner, the Trustees of Hofstra University, the Law School Faculty, our dear friend Dean John Feerick of Fordham Law School and all of you who worked so hard and contributed so much in order to make this day possible.

My family extends its great thanks to all of you with special appreciation for taking time to be with us today. You are devoted and generous friends.

There are those who gave assistance and support to Sam through the years in many capacities at Hofstra (clerical, secretarial, xerox room, library, and others). We thank you for all helping to make him so happy here and for your many kindnesses to our family. Our thanks, [also], to Barbara Birch and her staff for coordinating today's events.

I know how much this Professorship would have meant to Sam because teaching was an essential part of his life. And he was rewarded during his lifetime by what all teachers crave – the love of his students.

Years after his death, I still receive letters, and greeting from his students.

One wrote me because he simply had to tell me that while litigating a case, he heard Sam's voice booming in his ear, giving him the needed citation to make his point.

Also, every Hanukkah, I still receive a wonderful gift of chocolate biscotti from a former student in Arizona who credits Sam for his successful labor law career and who still remembers—like so many of you—an important Kaynard tradition—the Mandelbrodt parties on the

9. Gore Vidal, BBC TV's *Gore Vidal's Gore Vidal* (1995).

last day of class.

And Meryl and I are so touched that every year since his death the now nationally known Hofstra Labor and Employment Law Journal honors Sam in a special way and invites us to its annual celebration.

As a mother, my heart swells with pride and emotion to know that our daughter Meryl has been selected to be the first to initiate this Professorship. Here is proof that our children and our students are our future.

I know Meryl will bring with living testimony to the warmth, wit, wisdom, and humanity of Samuel M. Kaynard. Today our family congratulates her on this achievement and this homage to her father.

This is her day as well as Sam's and she is exquisitely prepared for it.

Sam always felt that the two most important things in life were love and work.

Those of you who knew that vivacious life force, with his own energy field—wearing a flowered tie, flashing a huge mustachioed smile, carrying his camera, knew his capacity to love.

And Sam felt there was power in work. Especially teaching—it energized him. Now that energy, spirit and enthusiasm for teaching will be experienced by our daughter Meryl, and by many others in perpetuity.

We thank all those we have mentioned, all those present, and all those still to come, for making this possible.

