

VITA

NAME: James Augustine Gross
Professor

ADDRESS: Department of Labor Relations, Law, & History
School of Industrial and Labor Relations
359 Ives Hall - Faculty Building
Cornell University
Ithaca, NY 14853-3901
Ph: 607-255-5490

EDUCATION: LaSalle College - B.S. (1956)
Temple University - MBA (1957)
University of Wisconsin - Ph.D. (1962)

PROFESSIONAL EXPERIENCE:

TEACHING:

Professor, NYSSILR, Cornell University, 1975 to present
Associate Professor, NYSSILR, Cornell University, 1968-1975
Assistant Professor, NYSSILR, Cornell University, 1966-1968
Assistant Professor, Holy Cross College, 1960-1966

Courses Taught: Values, Rights, and Justice at the Workplace;
Labor Law; Labor Arbitration
Workers' Rights as Human Rights
Workplace Health and Safety as a Human Right

ARBITRATION:

National Academy of Arbitrators
American Arbitration Association
Federal Mediation and Conciliation Service
New York State Public Employment Relations Board (PERB)
National Hockey League

SCHOOL AND UNIVERSITY COMMITTEES:

Academic Standards (Chairman)
Personnel Policies (Chairman)
Graduate Committee (Chairman)
Ad Hoc Committee on ILR Course Evaluation Questionnaire
MILR Examining Committee (Chairman)
ILR Research Committee
Committee on Student Employment Policy
Academic Affairs Committee
Teaching Advisory Committee
University Hearing Board
Undergraduate Program Committee

GRANTS AWARDED:

2007 Fulbright Visiting Research Chair in Corporate Social Responsibility, McGill University
National Endowment for the Humanities
National Institute of Education
Harry S. Truman Library
American Philosophical Society
Cornell University Research Grant

PROFESSIONAL ASSOCIATIONS:

National Academy of Arbitrators
Labor and Employment Relations Association
American Academy of Political and Social Sciences
American Association of University Professors
Society for the Promotion of Human Rights Education

MILITARY SERVICE:

Captain, U.S.A.R. (Resigned)

PUBLICATIONS:

BOOKS:

Rights Not Interests: Resolving Value Clashes Under the National Labor Relations Act (Ithaca, Cornell University Press, 2017)

A Shameful Business: The Case for Human Rights in the American Workplace, (Ithaca, Cornell University Press, 2010)

Human Rights in Labor and Employment Relations: International and Domestic Perspectives, Co-editor, (Urbana-Champaign, Labor and Employment Relations Association, 2009)

Workers' Rights as Human Rights, Editor, (Ithaca: Cornell University Press, 2003.)

Broken Promise: The Subversion of American Labor Relations Policy, 1947-1994 (Philadelphia, Temple University Press, 1996)

The Reshaping of the National Labor Relations Board: National Labor Policy in Transition, 1937-1947 (Albany, State University of New York Press, 1981)

The Making of the National Labor Relations Board: A Study in Economics, Politics, and the Law, 1933-1937 (Albany: State University of New York Press, 1974)

Teachers on Trial: Values, Standards and Equity in Judging Conduct and Competence (ILR Press, Cornell University, 1988)

ARTICLES:

“Undermining Worker Safety and Health Protection Through Statutory Interpretation,” 36 Hofstra Labor and Employment Law Journal (Spring 2019), 225-291.

“The Human Rights Movement at U.S. Workplaces: Challenges and Changes,” 65 Industrial and Labor Relations Review 1: (January 2012), 3-16.

“The National Labor Relations Board: Then and Now,” A.B.A. Journal of Labor and Employment Law Vol. 26, No. 2. (Winter 2011) pp. 213-229.

“Takin’ It to the Man: Human Rights at the American Workplace” in Gross, J. and Compa, L, Editors, Human Rights in Labor and Employment Relations: International and Domestic Perspectives (LERA: U. of Illinois, 2009), pp. 13-41.

“A Logical Extreme: Proposing Human Rights as the Foundation for Workers’ Rights in the United States,” in R. Block, et. al., eds., Justice on the Job: Perspectives on the Erosion of Collective Bargaining in the United States, (W. E. Upjohn Institute: Kalamazoo, MI., 2006) 21-39.

“Los Derechos De Las Trabajadores Como Derechos Humanos” in J. Lopez, Ed., Derechos Laborales y de Seguridad Social de los Inmigrantes (Madrid, Spain, 2006) 289-309.

“Incorporating Human Rights Principles into U.S. Labor Arbitration: A Proposal for Fundamental Change,” 8 Employee Rights & Employment Policy Journal (2004), 1-51.

“A Long Overdue Beginning: The Promotion and Protection of Workers’ Rights as Human Rights,” in J. Gross, ed., Workers’ Rights as Human Rights. (Ithaca: Cornell University Press, 2003), 1-22.

“Substantive Due Process: The Standard for Judgment Must also be Fair,” Proceedings of the 55th Annual Meeting, National Academy of Arbitrators (Bureau of National Affairs: Washington, D.C., 2003), 10-18.

“Worker Rights as Human Rights: Wagner Act Values and Moral Choices,” 4 University of Pennsylvania Journal of Labor and Employment Law 3, (2002) 479-492.

“Applying Human Rights Standards to Employment Rights in the USA: The Human Rights Watch Report 2000,” 33 Industrial Relations Journal 3, (2002) 182-196.

“A Human Rights Perspective on U.S. Education: Only Some Children Matter,” 50 Catholic University Law Review 4, (2001) 919-956.

“A Human Rights Perspective: On United States Labor Relations Law: A Violation of The Right of Freedom of Association,” 3 Employee Rights and Employment Policy Journal 1, (1999) 65-103.

“The Broken Promises of the National Labor Relations Act and the Occupational Safety and Health Act: Conflicting Values and Conceptions of Rights and Justice,” 73 Chicago-Kent Law Review 1 (1998) 351-387.

“The Common Law Employment Contract or Collective Bargaining: Different Values, and Conceptions of Rights and Justice,” 23 New Zealand Journal of Industrial Relations 1: (1998) 63-76.

“Value Judgments In Arbitration: Their Impact On The Parties’ Arguments and On The Arbitrators’ Decisions,” in J. Najita, ed., Arbitration 1997: The Next Fifty Years (Washington, D.C.: The Bureau of National Affairs, 1998), 212-225.

“The Demise of the National Labor Policy,” in Sheldon Friedman, et al., eds., Restoring the Promise of American Labor Law (Ithaca: ILR Press, 1994), 45-58.

“The Legal Context of Professional Ethics: Values, Standards, and Justice in Judging Teacher Conduct” in Kenneth A. Strike and P. Lance Ternasky, eds., Ethics for Professionals in Education: Perspectives for Preparation and Practice (New York: Teachers College Press, Columbia University, 1993), 202-216.

“Standards of Behavior for Tenured Teachers: The New York State Experience,” in G. Gruenberg, ed., Arbitration 1987: The Academy at Forty (Washington, D.C.: The Bureau of National Affairs, 1988), 181-196.

“Arbitral Value Judgments in Health and Safety Disputes: Management Rights Over Workers’ Rights,” 34 University of Buffalo Law Review 3: 645-691 (1986).

“Conflicting Statutory Purposes: Another Look at Fifty Years of NLRB Law Making,” 39 Industrial and Labor Relations Review 1: (October 1985), 7-18.

“Labor Relations Law,” 33 Syracuse Law Review 1: 361-399 (1982).

“Labor Relations Law,” 32 Syracuse Law Review 1: 389-420 (1981).

“Public Policy and the Arbitration of Tenure Decisions,” ERIC (ED 208-568), (University of Oregon: Eugene, Oregon) 67 pgs., 1981.

“Reflections on the Arbitrator’s Responsibility to Provide a Full and Fair Hearing: How to Bite the Hands that Feed You,” (With R. Daniel Bordoni), 29 Syracuse Law Review 3 (1978) 879-99.

“The Labor Arbitrator’s Role: Tradition and Change,” 25 The Arbitration Journal 4 (1970), 221-233.

“Economics, Politics and the Law: The NLRB’s Division of Economic Research, 1935-1940,” 55 Cornell Law Review 3 (February 1970), 321-347.

“Historians and the Literature of the Negro Worker,” 10 Labor History 3 (Summer 1969), 536-546.

“Good Faith in Labor Negotiations: Tests and Remedies,” with Donald Cullen and Kurt Hanslowe, 53 Cornell Law Review 6 (July 1968) 1009-1035.

“Value Judgments in the Decisions of Labor Arbitrators,” 21 Industrial and Labor Relations Review 1 (October 1967), 55-72. Reply to a Communication re: this article 21 Industrial and Labor Relations Review 3 (April 1968), 431-432.

“Current Developments in Labor Arbitration,” a chapter in Emerging Characteristics of Collective Bargaining, Thomas Colosi, Samuel Sackman, eds., Jamestown, N.Y. College Press, 1968, pp. 91-104.

“Value Judgments in Economics, the Labor Movement and Public Policy,” 16 Labor Law Journal 11 (November 1965), 705-712.

“The Making and Shaping of Unionism in the Pulp and Paper Industry,” 5 Labor History 2 (Spring 1964), 183-208.

“The NAACP and the AFL-CIO: An Overview,” Negro History Bulletin, December, 1962.

Book Reviews in the Industrial and Labor Relations Review, Labor History, the Arbitration Journal, the Monthly Labor Review, the American Historical Review, The University of Pennsylvania Journal of Labor & Employment Law, The British Journal of Industrial Relations, and the Comparative Labor Law and Policy Journal.