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David R. Kochery

Harold R. Newman

New York State Public Employment Relations Board

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DAVID R. KOCHERY**HAROLD R. NEWMAN***

*Law, says the judge as he looks down
his nose.*

*Speaking clearly and most severely,
Law is as I've told you before,
Law is as you know I suppose,
Law is but let me explain it once more,
Law is the Law.*

*Law, Say the Gardeners, Is the Sun
W. H. Auden, 1907-1975*

To David Kochery, Law was to function as many believe the Church should function — “to comfort the afflicted” and when necessary, to afflict the comfortable. Law was never for him a body of statutes or citations, but an exposition of public policy intended to establish rules and achieve goals that make for a rational and civilized society. Beyond his work as a teacher and practitioner of the Law, David gave much time to causes like the defense of civil liberties for which his compensation most often was only psychic.

David Kochery's work as a labor mediator and arbitrator was always characterized by conscientiousness, skill and professionalism. He won deserved commendation from union and management representatives in both the private and public sectors for the quality and integrity of his service as a labor adjudicator and conciliator.

Much of what labor arbitrators and certainly labor mediators accomplish, we know only by anecdote. In a field in which some practitioners expand and embellish their work and accomplishments, David was characteristically modest and he never engaged in puffery.

David Kochery lived by Robert Hutchins' canon — “We were not brought into the world to adjust to it, but to make it better.” We miss him very much.

* Chairman, New York State Public Employment Relations Board.