

## W. GARY VAUSE: EDUCATOR, SCHOLAR, AND SOUTHERN GENTLEMAN

Cary R. Singletary\*

I first met this remarkable man we all knew as Dean W. Gary Vause in fall 1975. He had just arrived at Stetson University College of Law from Connecticut to become the assistant dean and an assistant professor of law. Immediately upon meeting him, I recognized that he was not a “northerner.” His modest, soft-spoken, and easy manner immediately identified him as a true “southern gentleman,” consistent with his upbringing on a small farm outside of Tallahassee, Florida. I learned from Gary that he had left Tallahassee at the age of twenty, joined the Air Force, finished a certificate in Mandarin Chinese at Yale, and thereafter, completed his military service. He then earned his Bachelor of Arts and Juris Doctor degrees at the University of Connecticut. When Gary came to Stetson, he had recently left the private law firm he had founded in Hartford, Connecticut, where he had specialized in labor and employment law. The firm primarily represented management from various local school districts in all aspects of labor law.

He told me that, after much contemplation, he had made the decision to forgo private practice and devote his life to being an educator and scholar. This personal decision has shed enormous benefits not only upon the students, faculty, administrators, and alumni of Stetson, but also upon private practitioners, the Labor and Employment Law Section of The Florida Bar, the International Law Section of The Florida Bar, government agencies, foreign scholars, foreign governments, and countless individuals and employers. It is truly remarkable that, twenty-eight years later, his decision has proven to be enormously significant in the lives of so many others.

---

\* © 2003, Cary R. Singletary. All rights reserved. Mediator and Arbitrator, Tampa, Florida. B.S., University of Tampa, 1968; M.C.S., Rollins College, 1971; J.D., Stetson University College of Law, 1973. Mr. Singletary is also a Distinguished Professional Lecturer at Stetson University College of Law.

Gary and I shared a common love for the joy of teaching. In the early years of our friendship, I was teaching courses in Labor Law and Collective Bargaining at the University of Tampa, while also practicing labor law in Tampa. He was also teaching Labor Law and Collective Bargaining, as well as other courses at Stetson. Often, we conversed about effective teaching techniques, new texts in our subject fields, and legal developments in labor law. Gary's keen interest in his students, his expertise in labor law, and his innovative classroom-teaching techniques made him popular with students and faculty. His classes filled quickly each semester, and his office was always busy with students seeking opportunities to gain knowledge and experience in labor law.

Fortuitously, in 1975, the year Gary came to Stetson, the first statewide public-employee collective bargaining act for Florida public employees went into effect. Also, the Legislature created the Florida Public Employees Relations Commission (Commission) and gave the Commission the responsibilities of administering the registration and certification of public-employee labor unions and adjudicating unfair labor practices. Gary's previous legal experience under Connecticut's public-employee-relations law enabled him to quickly become established as a highly sought after legal resource for Florida labor lawyers. He was soon selected to become a Special Master by the Commission, which authorized him to hear and recommend solutions to impasses that had developed in public-employee collective bargaining.

Gary rapidly became a popular speaker at programs and seminars sponsored by the Labor and Employment Law Section of The Florida Bar. He also became a member of the Executive Council of that section and contributed greatly to it for several years. Even after no longer serving on the Executive Council, he continued to support its activities. Gary wrote articles and books on Florida labor law, which have contributed greatly to the understanding of the subject. These writings include: *Labor Dispute Resolution in the Public Sector*,<sup>1</sup> *The Special Master in Public Labor Disputes*,<sup>2</sup> *Labor Arbitration in State and Local Government*,<sup>3</sup>

---

1. W. Gary Vause, *Labor Dispute Resolution in the Public Sector*, 53 Fla. B.J. 52 (1979).

2. W. Gary Vause, *The Special Master in Public Labor Disputes*, 53 Fla. B.J. 123 (1979).

3. W. Gary Vause, *Labor Arbitration in State and Local Government* (Fla. St. U. Ctr.

*PERC Deferral to Arbitration*,<sup>4</sup> *The NLRB Policy on Deferral to Arbitration—Deference or Abdication?*,<sup>5</sup> *Impasse Resolution in the Public Sector—Observations on the First Decade of Law and Practice under the Florida PERA*,<sup>6</sup> *Impasse Resolution in the Public Sector*,<sup>7</sup> *The Good Faith Obligation in Public Sector Bargaining—Uses and Limits of the Private Sector Model*,<sup>8</sup> and *Labor and Employment in Florida—Law, Policy, and Practice*.<sup>9</sup>

One of Gary's significant contributions to Stetson was his tireless effort in helping Stetson become recognized as a leading law school for labor studies. In the 1980s, he created a nationally recognized Annual Labor Law Conference (Conference) hosted by Stetson's Office for Continuing Legal Education. Since its creation, there have been fifteen conferences. The Conference has brought prominent members of the National Labor Relations Board, Federal Mediation and Conciliation Service, Equal Employment Opportunity Commission, National Mediation Board, Florida Public Employee Relations Commission, Florida Commission on Human Relations, lawyers, management representatives, and union leaders as conference speakers to Stetson. This Conference was one of the first of its kind in labor law and contributed in a large way to Stetson's becoming a nationally known law school.

Another of Gary's significant contributions to Stetson's prominence in labor law was the creation of a working partnership with the Labor and Employment Law Section of The Florida Bar (Section). Throughout the years, the Section and Stetson have jointly sponsored numerous seminars and trainings in substantive labor and collective bargaining topics. In addition, the two organizations regularly co-sponsor a week-long Employment Law Trial Skills program designed to provide Florida lawyers with an

---

for Empl. Rel. & L. 1981).

4. W. Gary Vause, *PERC Deferral to Arbitration*, 56 Fla. B.J. 818 (1982).

5. W. Gary Vause, *The NLRB Policy on Deferral to Arbitration—Deference or Abdication?* 58 Fla. B.J. 461 (1982).

6. W. Gary Vause, *Impasse Resolution in the Public Sector—Observations on the First Decade of Law and Practice under the Florida PERA*, 37 Fla. L. Rev. 105 (1985).

7. W. Gary Vause, *Impasse Resolution in the Public Sector*, 36 L. Rev. Dig. 33 (May–June 1987).

8. W. Gary Vause, *The Good Faith Obligation in Public Sector Bargaining—Uses and Limits of the Private Sector Model*, 19 Stetson L. Rev. 511 (1990).

9. W. Gary Vause, *Labor and Employment in Florida—Law, Policy, and Practice* vol. 1 (Stetson U. College L. Ctr. for Lab.-Mgt. Dispute Res. 1989).

intense, total immersion learning experience in the art of presenting an employment case to a jury.

In recognition of Gary's contribution to the development of labor and employment law in Florida, the Section named its scholarship the W. Gary Vause Award for Excellence in Labor and Employment Law. This scholarship is for a third-year Stetson student who shows the most interest and promise in the field of labor employment law. His contributions, along with his faculty leadership in increasing the diversity of labor and employment law courses, has led to Stetson's recognition by Florida labor practitioners as the premier law school for training labor and employment lawyers.

Coincidental to his recognition as a labor law expert, Gary became a popular labor arbitrator, which was a role he ably performed along with his other faculty responsibilities. He regularly served in both public-sector and private-sector labor disputes. As always, Gary pursued the highest level of attainment whenever he became involved with any activity. Accordingly, after arbitrating countless labor disputes, he was accepted to membership in the prestigious National Academy of Arbitrators.

In my private labor law practice, it was always a pleasure to have Gary serve as an arbitrator. He brought to the table a sense of dignity that enhanced the sanctity and integrity of the process. He conducted the proceedings with an even hand, assuring both sides a fair and full hearing. He was never rushed, nor did he make decisions in haste. No matter how adversarial the parties or the advocates, he never lost his composure. His decisions were always well-reasoned and carefully researched. Regardless of who prevailed, there was never a sense of disappointment in the arbitrator.

One arbitration case, in particular, stands out in my mind. It occurred in the early 1980s and involved the discharge of a career employee of a public utility. The employee had been discharged based on allegations that he had repeatedly sabotaged company equipment while working unsupervised on night shifts. Both the opposing advocate and I were friends with Gary, and we chose him as the arbitrator because we knew the case would require superior knowledge of labor law and a strong decision maker. Gary was, no doubt, somewhat uncomfortable in accepting the arbitrator's role in this instance; yet, he did not dodge appointment to the case. Gary possessed the confidence of a seasoned pro-

professional who knew he could make the decision based on the evidence and not on whom he knew. We had complete confidence in his neutrality and wanted him to adjudicate this difficult case.

True to his form of always disclosing any information that may be perceived by the parties as bearing on his neutrality, he fully disclosed to the parties his friendship with both advocates. His courtly manner and forthright revelation of being friends with both of us immediately put the parties at ease and dispelled any apprehension of favoritism.

The case was based on circumstantial evidence and required several hearing days. During the case presentation, Gary was required to rule on many difficult procedural and evidentiary matters. While not all of those rulings were popular with the advocates or the parties, Gary never blinked when he made them. When the case was concluded and Gary's extensive and well-analyzed award was given, neither side regretted selecting him. In fact, both parties used him in future cases.

In later social gatherings, where both advocates were with Gary, the case never came up in discussions. It was as if it never happened. Gary's ability to separate his professional decisions from his personal relationships was one of his greatest qualities. He never compromised his professional judgment on any issue.

In 1985, Gary began to teach courses in international law. He invited me to become an adjunct professor at Stetson and teach the Collective Bargaining and Arbitration course that he had been teaching for several years. Needless to say, it was a daunting prospect to step into his shoes, but I was delighted with the invitation to teach at Stetson and accepted the offer eagerly. It was the beginning of a fifteen-year Stetson teaching experience, which I will always cherish as one of the highlights of my legal career. I taught Collective Bargaining and Labor Arbitration for several years, always enjoying the challenge of the subject matter and the students' excitement.

In the early 1990s, Gary and the faculty noticed that many state courts, including Florida, were moving toward various methods of alternative dispute resolution. They recognized that advocacy skills in trial practice alone would not be sufficient for Stetson students to excel in their careers. They knew that negotiation and mediation skills were growing expectations of well-trained, modern lawyers. Accordingly, he and the faculty determined that dispute-resolution skills courses were needed in Stet-

son's curriculum. I was invited to develop a course called Alternate Dispute Resolution (ADR) to include those skills. One of Gary's requirements was that mediation advocacy skills be strongly emphasized. It was my privilege to develop the course and to teach it, along with others, for several years.

As students became acquainted with mediation from the ADR courses and from their clerking experiences, many expressed an interest in pursuing careers as ADR neutrals. The students were aware of the development of Master of Law (LL.M.) programs at other law schools and wanted more classes at Stetson on the subject. In response, Gary and the faculty asked me to research the requirements for law students to become certified as mediators in Florida courts. I reported to Gary that students could become certified by the Florida Supreme Court as County Court Mediators. It would be necessary for the students to take a skills training course taught by a Primary Trainer certified by the court, complete a mentoring program consisting of observing four county court mediations, and actually conduct four mediations under the supervision of a certified county court mediator. Gary and the faculty decided to add the certified county court mediator training as an additional ADR course.

To teach the certification course, the Florida Supreme Court required me to become a Qualified Primary Mediation Trainer. My certification required participation as an assistant trainer at five separate mediator training courses offered by the Court at various locations around the state. Upon completion of that requirement, Stetson added the Certified Mediator Training course to the ADR curriculum. Because students still needed opportunities to observe mediations and to actually mediate to complete their certification, Gary was able to obtain the cooperation of the Pinellas, Hillsborough, and Orange County court-annexed mediation programs to permit Stetson students to mediate under their guidance. This cooperation has resulted in Stetson's being one of the few law schools in the country that actually offers a program leading to state certification as a mediator, in addition to practical experience.

As we all know, Gary was always deeply interested in international law. Two of his goals were to have Stetson establish a LL.M. degree program in International Law and to provide Stetson students with study-abroad programs. Before initiating those programs, Gary pursued advanced legal education for himself. He

took leaves of absence to complete the LL.M. and Doctor of Juris-tic Science (S.J.D.) degrees from the University of Virginia. After completing those degrees, Gary returned to Stetson and success-fully established both programs.

One of Gary's successes in the study-abroad program was the creation of an affiliation with Concordia International University (Concordia) in Tallinn, Estonia. Concordia was founded in the aftermath of the fall of the Soviet Union. Its purpose is to provide a western-style education, including a law degree, to students from the Baltic countries. Concordia is located outside the city limits of Tallinn in a converted fish-processing facility. The facil-ity was designed as a model Soviet factory town consisting of apartments, hospital, stores, offices, and cafeterias. It was easily converted to a university facility.

Concordia determined that, for the summer of 1997, it wanted to have all its law students take a comprehensive course in western-style negotiation, mediation, and arbitration. Gary was asked to recommend someone to teach the course. He ap-proached me to determine my interest in the project. He indicated that he would also be present during part of the summer, teach-ing Stetson students who were participating in the summer study-abroad program. I had visited Tallinn some years earlier, shortly after it had gained independence from the Soviet Union in 1989. It is a charming, ancient European city that was badly ne-glected during the Soviet occupation. The prospect of returning for a summer teaching experience interested me greatly, and I agreed to take on the challenge.

Needless to say, there were many unexpected surprises. I had eighty students assigned to the class. The class was in session for six hours each day for four weeks. The students were from Esto-nia, Latvia, Lithuania, and Russia. Fortunately, the only common language was English. If that was not enough, I quickly realized that the students had all been accustomed to the Soviet system of education (i.e., the teacher teaches the examination or gives the answers so that everyone passes). Without knowing that custom, I gave the first unannounced short test and had a near riot on my hands.

After consulting with the academic dean of Concordia, I de-cided that I should teach in the western-style, rather than using the Soviet method. As I continued through the course, students continued their resistance. Then, about half-way through the

course, attitudes began to change. I noticed that students completed their homework more carefully and asked questions in class. Further into the course, students were staying after class to ask questions. By the end of the course, they were embracing the western-style of teaching enthusiastically. They sincerely wanted to be competitive and to measure up to western standards. I have remained in contact with many of the students, some of whom have done very well in their careers. The Estonia teaching experience is one that I will always remember and be thankful to Gary for making possible.

The Estonia trip was eventful in still another way. When Gary arrived in Estonia that summer, we made plans to take a Scandinavian tour during the summer solstice. We departed Tallinn by hydroplane and crossed the Baltic to Helsinki, Finland. We spent a day touring Helsinki, then booked a ship for an overnight sail to Stockholm, Sweden. Of course, on the year's longest day so far north, the sun never completely disappeared. As we traveled by ship through the countless islands along our route, the locals were burning their celebratory fires on nearly every island. It was a magnificent sight.

When we arrived in Stockholm, we rented a car and drove north. We had no particular destination other than our intention to visit Uppsala University, which was a pleasant surprise. Uppsala still had its original, centuries-old classrooms. We toured the campus and spoke with faculty members. Unfortunately, the law school was not open, so we missed that experience. After Uppsala, we leisurely drove through northern Sweden for two days. It was a most enjoyable trip, and I truly cherish this time Gary and I spent together. It was this experience that helped me understand his true passion for travel and study abroad.

In 1997, Gary was named Associate Dean for Graduate and International Programs. He asked me if I would assume one of his former positions, Director of the Center for Dispute Resolution. I agreed and also continued to teach the ADR courses. Under Gary's leadership, the international programs continued to grow, including students from numerous foreign countries as well as local attorneys. Many foreign countries do not have trial by jury, and LL.M. students often enrolled in my ADR courses for training in mediation and arbitration. These foreign students greatly enriched the learning experience of the other Stetson students; it



2003]

*Dean W. Gary Vause Memorial*

67

was a special joy to have the foreign students explain their legal systems to the American students.

In 1999, Gary was named Stetson's Vice President and Dean of the College of Law. This achievement was well earned and truly deserved. In 2000, he and the Stetson faculty named me to the position of Distinguished Professorial Lecturer. I was deeply honored by this recognition.

As Dean, Gary recognized that Tampa was the only metropolitan area of its size in the country that did not have a law school. The likelihood of a new competing law school starting up in Tampa had been a long-term Stetson concern. This threat became real in the early months of Gary's administration when the Florida Legislature approved the establishment of two new state law schools. Florida A&M University was approved for one of the law schools, with a legislative requirement that the law school be located in central Florida. The city of Tampa, its Mayor, and its prominent civic leaders aggressively pursued Florida A&M to establish its campus in Tampa. They offered valuable downtown acreage on the Hillsborough River to build the law school. Orlando also offered land. Gary, in his diplomatic style, met with the players and closely monitored the situation while not directly intervening in the churning controversy that erupted between the competing factions. Meanwhile, he reminded the Stetson community that Stetson itself had plans to expand with a campus in Tampa.

Florida A&M decided to open its law school campus in Orlando. Gary immediately seized the moment of Tampa's disappointment and approached its Mayor with the proposal for a Stetson campus on the same location offered to Florida A&M. His timing and judgment were perfect. The Mayor immediately endorsed the project, and Gary embarked upon making the campus a reality. Endless hours and countless challenges were presented. With the help of many others, Gary patiently worked through each of them. Success was achieved and ground was broken in January 2003 for the new campus. It is only fitting that Gary remained with us to see the new campus actually rising out of the ground in spring 2003.

The entire Stetson community has been blessed by the contributions of this remarkable southern gentleman who quietly devoted twenty-eight years of his life to the growth and development of students, faculty, administrators, staff, alumni, and sup-

porters. The world has been blessed by his contributions to international law. And I have been blessed by knowing him and having his friendship.