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MEMORIAL

IN REMEMBRANCE OF SAMUEL M. KAYNARD

Stuart Rabinowitz*

The sudden death of Professor Samuel Kaynard shocked and saddened the Hofstra Law School community. The extraordinary professional legacy of Samuel M. Kaynard, however, lives on. On a more personal note, I knew Professor Kaynard for over twenty years. He was a brilliant and beloved educator and a superb practitioner. Professor Kaynard was flamboyant, funny, caring, and extremely intelligent. 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, every time they saw him. We will miss him.

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Professor Kaynard’s academic and professional career are extraordinarily impressive. He attended the College of the City of New York where he received his B.A. degree cum laude, and was elected to Phi Beta Kappa. He then attended New York University School of Law where he graduated first in his class in 1938 and received various awards and scholarships. He went on to obtain his LL.M. degree from Georgetown University School of Law, where he graduated with honors.

Upon graduation from law school, Professor Kaynard went to work in Washington, D.C. with the National Labor Relations Board, beginning a career in government service which lasted 40 years. He started as an Enforcement and Litigation Attorney. Subsequently, Professor Kaynard became Regional Attorney for Region 2 and then Regional Director of Region 29 which includes Nassau and Suffolk Counties, and the Boroughs of Brooklyn, Queens and Staten Island. He was widely regarded as one of the foremost experts in the country on labor law issues.

While Regional Director of the National Labor Relations Board, Professor Kaynard began his teaching career. Over the years, he taught as an adjunct professor in the labor law field at the Pace College Graduate School of Business, Long Island University School of Business, Brooklyn Law School, Fordham Law School, New York University Law School and, of course, at Hofstra Law School.

Professor Kaynard began teaching as a full-time professor at Hofstra in January 1986. He taught a variety of courses in the Labor Law area, including Labor Law, Collective Bargaining, Employment Law, NLRB Practice and Procedure, and Strikes, Boycotts, Picketing and Injunctions. He was an inspiring teacher, who cared deeply about his students. He knew their names; he joked with them; he pushed and prodded them to do better. His students in return admired, respected, and cared about Professor Kaynard. Professor Kaynard also served as the principal advisor to the Hofstra Labor and Employment Law Journal. In this capacity, he helped countless students with notes, read outside articles, arranged for prominent speakers at the Journal’s annual dinners, and generally served as mentor to the Journal’s editors.

Professor Kaynard was extremely active in professional organizations in his field. He was a member of the American Arbitration Association and the American Bar Association, where he served
on the Labor and Employment Committee and the Committee on NLRB Practice and Procedure. He was a member of the New York State Bar Association and its Committee on Labor and Employment Law as well as its Committee on Continuing Education, and served on the Bar of the City of New York’s Labor and Employment Law Committee. Professor Kaynard was an active participant in various professional panels, conferences, and seminars. For example, he spoke at conferences in England on “Direct Investment in the United States” and on “Deregulation and Labor Law in the United States.” He also spoke at two conferences in Israel on “Comparative Labor Law in Israel and the United States.” He spoke at a conference on “United States Employment Law and the Japanese Company” sponsored by Harvard Law School and Stanford Law School. In June 1991, he was a member of the U.S. contingent of academicians and labor and management leaders who went to Moscow to participate, with their Soviet counterparts, in a symposium sponsored by Hofstra University and the Soviet Academy of Labor and Social Relations, on “New Directions in Worker-Management Relations;” in March 1992, the Russian and U.S. members convened at Hofstra University to continue their symposium. He was a speaker at the Conference on Labor and Health Care, sponsored by the Cornell Industrial and Labor Relations School. He spoke frequently at conferences sponsored by unions, universities, the National Labor Relations Board and various bar associations.

In 1995, Professor Kaynard was awarded the Lifetime Achievement Award “In Recognition and Appreciation for his years of service as a Teacher, Lawyer, Writer, NLRB Director and Mentor to Thousands.” This award was conferred on Professor Kaynard at a conference commemorating the 60th Anniversary of the Wagner Act, co-sponsored by the Association of the Bar of the City of New York Committee on Labor and Employment Law, New York State Labor and Employment Law Section, and the National Labor Relations Board.

Hofstra Law School was indeed fortunate to have Professor Samuel Kaynard as a faculty member for so many years. And I am personally fortunate to have had Professor Kaynard as a friend and colleague. He is irreplaceable.
I have lost several friends and relatives over the last few years, but none has left me with such an immense personal and professional void as did the death of Sam Kaynard.

In thinking about why, I have concluded that it was because everything about Sam Kaynard was impressive and important.

His impressiveness was obvious or easily discernible. A lean, athletic man who moved about with agility and gracefulness. And with that grand mustache of delightful magnificence. His was an unmistakable presence.

Add his keen intellect, his joyous and supportive personality and his renaissance sophistication and you have a man of uncommon—indeed unmatched—impressiveness. No wonder he leaves us with a painful feeling of emptiness and deprivation.

What impressive professional credentials he possessed! First in his law school class, law review, an unprecedented career in length, effectiveness and distinction as clearly the most outstanding Regional Director of the National Labor Relations Board. He was the Dean of the administration of American labor law and certainly one of, if not the best, authority on its interpretation and application. Oh, how often I and so many of my colleagues, in discussing or debating a point of labor law, would inevitably conclude with the remark “let’s ask Sam.”

The best compliment he paid me was to tell me that my Practicing Law Institute bar review tapes on labor law “sounded just like [him].” And the next best was when he appeared, often and uninvited, in my labor arbitration course, to, he said, “learn something” of that field. Of course, he knew what he pretended to want to

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learn but he always made me feel that there was something I could teach him. How I will miss playing that game with him.

His impressiveness was, of course, not limited to the administration and practice of labor law. Coupled with that work and throughout it, was his teaching. His impressiveness as a teacher assumed “bionic” proportions. Every law school in the New York metropolitan area had him at one time on faculty and often he taught at several simultaneously. One of my proudest accomplishments during my term as Dean of the Hofstra Law School was to recruit Sam to our full-time faculty — and in a “heated” but lovingly respectful argument to tell him that “full-time” at Hofstra meant that he could no longer teach also at Fordham, Brooklyn, New York University, Columbia, Cardozo, Pace, New York Law, Cornell, or any combination thereof.

The statement in the New York Time’s obituary that he “trained more labor lawyers than anyone else” is completely accurate. And most importantly, the training was not just in numbers, but in quality. So, in the skills and success of thousands of students he taught, this great teacher’s legacy will live on.

Professionally Sam was an impressive counselor. His judgment on jobs, career moves, work assignments and affiliations was uncanny and unerring. How many lawyers, government officials, community leaders and businessmen find themselves in careers to which Sam guided them or helped them obtain. Almost thirty years ago, Sam urged me to seek an appointment to the founding faculty of the then newly established Hofstra Law School. Years later he urged me to accept the deanship and lent his enthusiastic support to all the programs that were associated with my deanship. He counseled me regarding public service work at the state and local levels and even tried to obtain for me a federal appointment that interested me. In that connection, he delighted in chiding me about my lack of political influence, a disability from which he and I confessed we both suffered.

The importance of Sam Kaynard was extensive, but for this purpose it can be best viewed through the prism of the Hofstra Law School. His importance at the law school simply cannot be overstated. He enlarged the labor law curriculum to a dimension unequaled by any other school. To courses in labor law, collective bargaining, arbitration and dispute settlement he added Labor Board practice, strikes, boycotts and picketing and employment
law. He directed the Wagner Moot Court competition, served as the principal faculty advisor to the Hofstra Labor and Employment Law Journal, arranged for prominent labor law speakers at the Journal’s annual dinners and organized a regular breakfast labor law lecture series for the University.

He not only knew the names of all his students, but some favorable personality characteristics about each of them. And for the three years they were students he remembered and joked with each of them as friends as well as just students. He treated them to humor, comradeship, collegiality and gave of his personality to them unsparingly and affectionately. He loved his students, and knowing of the sincerity of his interest in them, they reciprocated. I was always envious of this easy and remarkable relationship between Sam and his students, not only because of its warmth but because it enhanced his ability to teach and their ability to learn. Sam’s importance had a further reach. He was dedicated to all the School’s activities. Sam (and always with his beloved Ann) was at virtually every dinner, every lecture, every conference, every retreat, every meeting and every event of scholarship or entertainment. His commitment to us was unconditional and seemingly unending. Just to see the wealth of material piled up in his office—material well-beyond the case book assignments—for distribution to his classes, was to see how breathtaking was his dedication. I do not think that we will soon again see such a totality of involvement and loyalty.

Let me end with some additional personal remembrances. When Sam ended a conversation with “love ya,” he meant it. He had an intimate feeling for the human side of persons he knew and dealt with, a sympathy for those less privileged, for the ordinary working person, and for those socially oppressed. He had strong, activist views in support of greater societal fairness and opportunity. His friends came from all walks of life and I know of not one that he did not respect and in whom he did not see merit, including those very few who were adversaries.

For me, our talks together, our lunches together on Court Street in Brooklyn, our trips together, our professional activities together, our candid confessions together, and our friendship will, as I continue to think of him, be cherished memories.

Sam, we “loved ya.”
SAMUEL M. KAYNARD

William B. Gould IV*

I came to know Sam Kaynard in the 1960s when I was a young labor lawyer in New York and he was NLRB Regional Director in Brooklyn where I had a number of cases. More recently, we renewed our acquaintanceship when we jointly hosted visiting labor law scholars from the Soviet Union at Hofstra and went together with a group of Americans to Russia in 1991. We had many stimulating discussions about labor law, life and the Board.

Sam was a practitioner, scholar and teacher of labor law par excellence. He contributed immeasurably to the substantive development of labor law and to the profession of labor law during his 40 years at the National Labor Relations Board, where he was a well respected regional director for twenty-two years, and through his labor law classes at Hofstra and other law schools. I will miss the camaraderie and lively discussions I had from time-to-time with Sam as will his many friends at the Board, in the worlds of private practice and the academy, and throughout the world.

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