

January 1990

Conference Opening

Henry T. King Jr.

Follow this and additional works at: <https://scholarlycommons.law.case.edu/cuslj>

 Part of the [Transnational Law Commons](#)

Recommended Citation

Henry T. King Jr., *Conference Opening*, 16 Can.-U.S. L.J. 3 (1990)

Available at: <https://scholarlycommons.law.case.edu/cuslj/vol16/iss/5>

This Foreword is brought to you for free and open access by the Student Journals at Case Western Reserve University School of Law Scholarly Commons. It has been accepted for inclusion in Canada-United States Law Journal by an authorized administrator of Case Western Reserve University School of Law Scholarly Commons.

Conference Opening

*Henry T. King, Jr.**

We live in a period of great change. The Cold War which absorbed so much of the United States' human and economic resources is winding down, and we need to give thought to the constructive redirection of these resources. On the North American continent, Canada and the United States have joined together to form a free trade area which, when fully implemented, will create a single market in North America. In Europe, greater integration is taking place; in 1992 and thereafter, we shall see the removal of more barriers to the mobilization of Europe's economic and human resources into a single market area.

While the United States was engaged in fighting the Cold War, our competitive position vis-a-vis our major competitors, Japan and West Germany, slipped badly — particularly in terms of our development and utilization of human resources. The United States' lead in productivity has slipped markedly because of our neglect of human resources. Further, the United States now leads the developed countries in scientific illiteracy. In the 1988 Science Achievement tests, U.S. fourteen year-olds ranked fourteen out of seventeen developed countries — meaning, of course, that with the passage of time our human resource problems will be accentuated.

Canada's relationship with the United States, which has been historically close, will become closer with the full implementation of the Free Trade Agreement. Many Canadian facilities are owned and operated under the guidance of U.S. corporate parents. So Canada's future is to a considerable extent tied in with the United States' economic success. Thus, the decline in U.S. competitiveness in the human resource area inevitably affects Canada's future as well.

At this Conference we shall be looking at how the United States and Canada stack up against each other in human resources, and also how they compare with major competitors in the European area and the Far East. As we do this, I am confident we shall identify some critical issues and challenges which must be met if we are to continue to maintain and enhance our relative competitive position in today's very challenging world.

To set the stage for our exploration of the critical issues with which this Conference will deal, we have as our keynote and opening speaker

* U.S. Director, Canada-United States Law Institute; Professor of Law, Case Western Reserve University; Of Counsel, Squire, Sanders & Dempsey (Cleveland).

Dr. Anthony P. Carnevale who will be speaking on "Human Resources: The Key to Canadian-U.S. Competitiveness." Dr. Carnevale is the author of a forthcoming book entitled *America in the New Economy*. The "old" economy competed solely on the basis of productivity and prices. In the "new" economy, competition will be based on a broader array of competitive standards including productivity, quality, variety, customization, convenience and time. We shall want to hear what Dr. Carnevale has to say about the primary resource aspects of the "new" economy.

Immigration policies can either improve or restrict our competitiveness through their impact on the workforce. We can either improve the quality of the workforce or detract from it. We are indeed pleased to have Austin T. Fragomen of the United States and the Honorable Ronald G. Atkey of Canada to explore the impact of U.S. and Canadian immigration laws on individuals and businesses. They will discuss "Human Resources and International Boundaries: The Impact of U.S.-Canada Immigration Laws on Individuals and Businesses."

Our U.S. and Canadian-based firms have many competitors in Europe. Europe 1992 is synonymous with major changes in Europe which have implications for Canada-U.S. competitiveness. Our luncheon session with Charles M. Ludolph, Director of the Office of European Community Affairs, U.S. Department of Commerce, will explore the current and future competitive implications of these changes for U.S. and Canadian firms in his discussion on "Europe 1992: Human Resources in a Unified Market - Implications for U.S.-Canada Competitiveness."

After lunch we shall look at "The Impact of the Free Trade Agreement on the Flow of Services and Temporary Business Travel Across the Canada-U.S. Border" with Meriel V.M. Bradford of Canada and Colleen S. Morton of the United States as our speakers. Meriel V.M. Bradford was involved in the Free Trade Agreement negotiations and Colleen S. Morton was the U.S. Director of the Canadian-American Committee which includes many Fortune 500 businesses from the United States and Canada and labor representatives as well. Both are experienced and well qualified to discuss this subject area, which of course has competitiveness implications in terms of our ability to mobilize our human resources.

Thereafter we shall be examining the legal and tax environment for motivating and compensating people in the United States and Canada. William Napoli, Jr. of the United States and Donald A. McGrath of Canada will be our guides as we look at "Human Resources: A Comparative Look at the Legal and Tax Environment for Motivating and Compensating People in the United States and Canada (ESOPS, Profit Sharing, Pensions, and other Fringe Benefits, etc.) — Balance Sheet and Profit/Loss Sheet Effects of Same; Current Status and Future Trends" not only in terms of human resource objectives, but also in terms of balance sheet and profit and loss effects.

Our dinner session will deal with "Developing Human Resources:

Participative Management and Employee Involvement—Slogans and Reality.” We shall look at this vital subject through the eyes of Ben Fischer, Director of the Carnegie-Mellon University Center for Labor Studies in Pittsburgh, Pennsylvania, and William K. Rusak of Dominion Textiles, Inc. in Montreal, Quebec.

We open tomorrow’s program with a session on the “Representation of Employees and the Role of Unions in the United States and Canada: The Union Response to Change in a Competitive World.” Irving Bluestone, one of the early stalwarts of the UAW-CIO will be our leadoff speaker, followed by Dr. Peter Warrian of Canada, who is Executive Director of the Canadian Steel Trade & Employment Congress, a union company co-venture between the United Steelworkers and Canada’s leading steel companies.

The following session will deal with the “Legal Aspects of the Utilization of Human Resources in the Canada-U.S. Context: A Comparative Look at Hiring and Termination and Regulation of the Workplace.” We shall be examining this subject with David J. Millstone of the United States and Roy L. Heenan of Canada.

At our luncheon session we will be honored by the presence of Norihiro Takeuchi of Bridgestone/Firestone, Inc. who will discuss the “Comparative Competitive Aspects of Japanese Use of Human Resources vis-a-vis U.S.-Canada.” Mr. Takeuchi, who is a native of Japan, and who has worked and studied in both the United States and Japan, is eminently qualified to discuss this subject.

After lunch we shall be looking at “The Comparative Impact of Federal and State (Provincial) Income and Estate Taxes on People Transfers in the Canada-U.S. Context: Tax Equalization.” Glenn W. White of the United States and Robert D. Brown of Canada will be our guides in this important subject area which has considerable financial impact on individuals and companies.

We live in a rapidly changing, technologically-oriented world. Changes in technology mean new requirements for training and retraining personnel. We shall be examining “Canada-U.S. Aspects of People as a Renewable Resource in the World Competitive Context: Public and Private Job Training and Retraining” with Susan P. Hooker, who plays a key role in Motorola, Inc.’s internationally recognized training function, and T. Leslie Horswill of Ontario’s Ministry of Skills Development, who will lead us in our consideration of this critical subject area.

Our dinner session tomorrow will deal with a basic and critical issue, namely “Laying the Educational Basis for a More Competitive North American Society.” Ian Macdonald, the first President of Canada’s newest university, York University, and Peter Morici of the University of Maine, who has written extensively on the matter of Canada-U.S. economic relations, will discuss this vital subject which is so basic to our competitive position in today’s world.

On Sunday morning, with the dawn of a new day, we shall appropriately be looking at "Goal Setting Peoplewise for Canada-U.S. in the World Competitive Context: What Should our Goals Be and How Do We Get There?" with Stephen L. Schlossberg, who has had an illustrious career in labor and government, as our speaker. There is an ancient aphorism to the effect that "if you don't know where you are going, any road will take you there." As this Conference draws to a close, we believe we *will* know more about where we should be going, and we will need someone to map out a strategic path to lead us to our goals. Charting our future course is indeed a challenge, but I know that Mr. Schlossberg is up to the challenge, and I look forward to what he has to say on this subject at the climax of this Conference.

This program owes much to a number of individuals. Mosby Harvey of Firestone, Clive Allen of Northern Telecom, and Tim Stock of Ford Motor Company all played critical roles in bringing it into focus. Victor Bradley of the Canadian Embassy in Washington has also been most helpful. Patti Hujarski, the Coordinator of the Institute, played a singular role in the implementation of the Conference which will be long remembered. And Kamala Mohammed, who has assisted in the development of the structure of the program, has most ably assembled a set of materials which will give you just the right documentary backdrop for the Conference.