

Washington, DC 20570. Phone, 202–273–4040.

**Electronic Access** Information about the Board’s programs and activities is available through the Internet at [www.nlr.gov](http://www.nlr.gov).

**Employment** The Board appoints administrative law judges from a register established by the Office of Personnel Management. The agency hires attorneys, stenographers, and typists for all its offices; field examiners for its field offices; and administrative personnel for its Washington office. Inquiries regarding college and law school recruiting programs should be directed to the nearest regional office. Employment inquiries and applications may be sent to any regional office or the Washington Human Resources office.

**Publications** Anyone desiring to inspect formal case documents or read agency publications may use facilities of the Washington or field offices. The agency will assist in arranging reproduction of documents and order transcripts of hearings. The Board’s offices offer free informational leaflets in limited quantities: *The National Labor Relations Board and YOU (Unfair Labor Practices)*, *The National Labor Relations Board and*

*YOU (Representation Cases)*, *Your Government Conducts an Election for You on the Job*, and *The National Labor Relations Board—What It Is, What It Does*. The Superintendent of Documents, Government Printing Office, Washington, DC 20402, sells *A Guide to Basic Law and Procedures Under the NLRA*, the *Annual Report*, the *Classified Index of National Labor Relations Board Decisions and Related Court Decisions*, volumes of Board decisions, and a number of subscription services, including the *NLRB Casehandling Manual* (in three parts), the *Weekly Summary of NLRB Cases*, the *NLRB Election Report*, and *An Outline of Law and Procedure in Representation Cases*.

**Speakers** To give the public and persons appearing before the agency a better understanding of the National Labor Relations Act and the Board’s policies, procedures, and services, Washington and regional office personnel participate as speakers or panel members before bar associations, labor, educational, civic, or management organizations, and other groups. Requests for speakers or panelists may be made to Washington officials or to the appropriate regional director.

**For further information, contact the Division of Information, National Labor Relations Board, 1099 Fourteenth Street NW., Washington, DC 20570. Phone, 202–273–1991. Internet, [www.nlr.gov](http://www.nlr.gov).**

## NATIONAL MEDIATION BOARD

1301 K Street NW., Suite 250 East, Washington, DC 20005  
Phone, 202–692–5000. Internet, [www.nmb.gov](http://www.nmb.gov).

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*The National Mediation Board maintains a free flow of commerce in the railroad and airline industries by resolving labor-management disputes. The Board also handles*

*railroad and airline employee representation disputes and provides administrative and financial support in adjusting grievances in the railroad industry.*

The National Mediation Board (NMB) is an independent agency established by the act of June 21, 1934, which amended the Railway Labor Act of 1926 (45 U.S.C. 151–158, 160–162, 1181–1188). The Board is composed of three members, appointed by the President and confirmed by the Senate.

NMB performs a central role in facilitating harmonious labor-management relations within the railroads and airlines industries. NMB is also authorized to resolve employee representation disputes.

### Activities

**Mediation** NMB ensures that labor and management exert every reasonable effort to make and maintain collective bargaining agreements. If these parties fail to reach an agreement, however, either or both may apply to the Board for mediation. Following receipt of an application, NMB promptly assigns a mediator to assist the parties. NMB mediators apply a variety of dispute resolution techniques, including traditional mediation, interest-based problem solving, and facilitation, to resolve the dispute. If after such efforts the Board determines that mediation will not settle the dispute, NMB offers voluntary arbitration (interest arbitration) as an alternative approach to resolve the remaining issues. This option is rarely exercised by the parties. In situations where interest arbitration is used, an arbitrator's decision is final and binding with very narrow ground for judicial review. If this arbitration is rejected, the Board promptly releases the parties from formal mediation, triggering a 30-day cooling off period. If an agreement has not been reached by the end of the 30-day period, the parties are free to exercise lawful self-help (such as strikes, lock-outs, etc.), unless a Presidential Emergency Board is established.

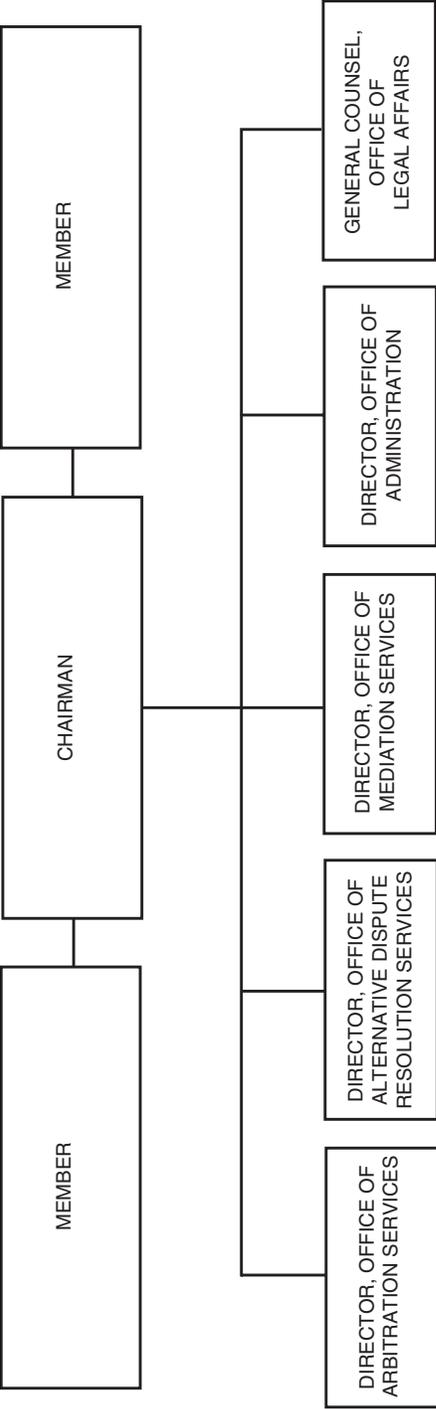
**Alternative Dispute Resolution** In addition to traditional mediation services, NMB also provides Alternative Dispute Resolution (ADR) services. ADR

services include facilitation, training, and grievance mediation. The ADR program assists the parties in learning and applying more effective, less confrontational methods for resolving their disputes. It also helps the parties resolve more of their own disputes without outside intervention. The ADR program includes an online dispute resolution component.

**Presidential Emergency Board** NMB makes recommendations for the establishment of a Presidential Emergency Board (PEB) to investigate and report on a collective bargaining dispute which severely threatens interstate commerce and transportation. At the President's discretion, a PEB is established for 30 days to investigate and report back on the situation, during which time neither party may exercise self-help. A PEB may also be requested by any party involved in a dispute affecting a publicly funded and operated commuter railroad, including the Governor of any State where the railroad operates.

**Representation** When a labor organization or individual files an application with NMB to represent employees, NMB assigns an investigator to conduct a representation investigation. Should the applicant meet requirements, NMB will continue the investigation, usually with a process known as Telephone Election Voting (TEV). In the TEV process, voters in the craft or class use two secret passwords to cast ballots by telephone instead of using mail-in paper ballots. TEV, inaugurated by NMB in October 2002, is secure and accurate. In order for a representative to be certified, a majority of the eligible voters must cast valid ballots in support of representation. The Board is responsible for ensuring that the requirements for a fair election process have been maintained. If the employees vote to be represented, the Board issues a certification of that result, which commences the carrier's statutory duty to bargain with the certified representative.

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**Arbitration** NMB offers both interest and grievance arbitration. Interest arbitration is a process to establish the terms of a new or modified collective bargaining agreement through arbitration, rather than through negotiations. Although its use is not statutorily required, interest arbitration decisions are final and binding with very narrow grounds for judicial appeal.

Grievance arbitration, involving the interpretation or application of an existing collective bargaining agreement, is mandatory. In the railroad industry, NMB has significant administrative responsibilities for the three grievance-arbitration forums: the National Railroad Adjustment Board (NRAB), Special Boards of Adjustment (SBAs) and Public Law Boards (PLBs). NRAB and its four divisions have statutory jurisdiction over all rail carrier's and all crafts and classes of railroad employees. SBAs are created by mutual agreement of the parties, and PLBs are established on individual railroads upon the written request of either party to a dispute. Grievance arbitration in the airline industry is accomplished at the various system boards of adjustment created jointly by labor and management at the parties' expense. NMB furnishes panels of prospective arbitrators for the parties' selection on both the airline and railroad industries. Arbitration decisions are final and binding with very limited grounds for judicial review.

## Sources of Information

**Electronic Access** Information pertaining to Board operations including weekly case activity reports, representation determinations, press releases, and an agency directory are available on the Internet at [www.nmb.gov](http://www.nmb.gov).

**NMB Knowledge Store** NMB's Office of Alternative Dispute Resolution designed, built, and implemented a public archive, available through the NMB Web site, containing public documents related to the agency's operations back to its inception in 1934. Currently, the Knowledge Store contains over 100,000 documents in an easily searchable format, including arbitration awards, representation decisions, annual reports, PEB reports, industry contracts, and union constitutions and bylaws.

**Publications** The *Annual Reports of the National Mediation Board* are available on the NMB Web site ([www.nmb.gov](http://www.nmb.gov)) in the Knowledge Store. A limited supply of hard copies, both current and past, are also available for public distribution. Phone, 202-692-5031.

**Virtual Reading Room** Copies of collective-bargaining agreements between labor and management of various rail and air carriers and NMB Determinations (back to at least October 1, 1998) are available on the NMB Web site ([www.nmb.gov](http://www.nmb.gov)) in the Knowledge Store.

For further information, contact the Public Information Officer, National Mediation Board, Suite 250 East, 1301 K Street NW., Washington, DC 20005-7011. Phone, 202-692-5050. Internet, [www.nmb.gov](http://www.nmb.gov).

## NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

60 Massachusetts Avenue NE., Washington, DC 20002  
Phone, 202-906-3000. Internet, [www.amtrak.com](http://www.amtrak.com).

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