

NEGOTIATIONS PROCEDURES UNDER THE RAILWAY LABOR ACT

Exchange of Openers

The Union and company exchange their opening proposals.

Direct Negotiations

Negotiations begin across the bargaining table between the Union and the company.

If direct negotiations are unsuccessful and talks deadlock.

Mediation

The Union and/or the company requests the National Mediation Board (NMB) to begin mediation within 10 days after breakdown of collective bargaining talks.

NMB assigns a mediator and mediation begins. Decisions on time limits now lie with the NMB.

Proffer of Arbitration

Mediation is unsuccessful and talks deadlock. The NMB offers to submit remaining issues to binding arbitration.

Union and/or company rejects offer of binding arbitration.

Cooling-Off Period

The 30-day cooling-off period begins. Mediation talks (Super Mediation) may continue in an effort to reach an agreement prior to the expiration of the 30 days.

Work Stoppage

Parties fail to reach agreement during cooling-off period. Company may implement imposed work rules. Union may go on STRIKE or conduct other job actions.

CHAOS

Membership Ratification

If a tentative agreement is reached. Ballots are sent to each Member for MEMBERSHIP RATIFICATION. If approved by the Membership, the agreement goes into effect.

Membership Ratification

Mediation is Successful. Tentative Agreement is sent to MEMBERSHIP RATIFICATION vote.

Binding Arbitration

Union and company accept NMB offer of binding arbitration. Arbitration hearings held and binding award made. (New contract imposed upon both the Union and the company).

Membership Ratification

Super Mediation is successful. Tentative Agreement is sent to MEMBERSHIP for RATIFICATION vote.

Presidential Emergency Board

If a dispute substantially threatens essential transportation, NMB notifies the President who may establish a Presidential Emergency Board (PEB). The PEB has 30 days to report to the President. The parties may accept the recommendations, negotiate their own agreement or, 30 days later exercise self-help.