



## **UNJUST DELAYS IN RAIL BARGAINING**

Despite the fact that the current round of national rail negotiations is well into its fifth year for thousands of workers, the National Mediation Board (NMB), the agency responsible for administering the Railway Labor Act (RLA), has refused to move the bargaining process along in a timely manner. Specifically, the NMB, which governs labor-management relations in the rail industry, has refused to “release” the International Association of Machinists (IAM) and the Sheet Metal Workers International Union (SMWIA) from mediation despite the fact that both unions have reached an impasse with management and further talks would be fruitless. It is intolerable for our government to force a rail worker to wait five years for a new collective bargaining agreement.

The NMB, whose three members are appointed by the President and confirmed by the U.S. Senate, is responsible for providing bargaining and mediation assistance, and fostering productive collective bargaining between labor and management. The NMB’s ability to both advance *or* delay labor-management talks is a power the agency should use fairly and with great care. The NMB is well known for touting its own record of having parties reach agreements without resorting to “self-help” such as strikes or lockouts.

In fact, the statute has survived since 1926 because it can work well if implemented fairly. But by failing to act on a release in the IAM and SMWIA case, the NMB is ignoring its own policy of expediting the bargaining and mediation process. Forcing employees and their unions to stay at the table well beyond the point of any productive negotiations frustrates the rights of workers and denies settlements within a reasonable time frame. The problems surrounding these excessive delays have little to do with the RLA, but rather with the manner in which the NMB administers the process. By failing to change the endless cycle of delay in rail bargaining, the NMB is denying basic due process. In other words, justice delayed is justice denied.

Transportation labor is deeply troubled that so many rail workers are facing senseless delays in negotiations. We are especially disturbed that NMB members have yet to step in and ensure the process is fair and balanced. Transportation labor joins the IAM and the SMWIA in calling on the NMB to adhere to the law and the processes under the RLA, and finally to put an end to excessive delays in completing collective bargaining in the rail industry.

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**Transportation Trades Department, AFL-CIO**

