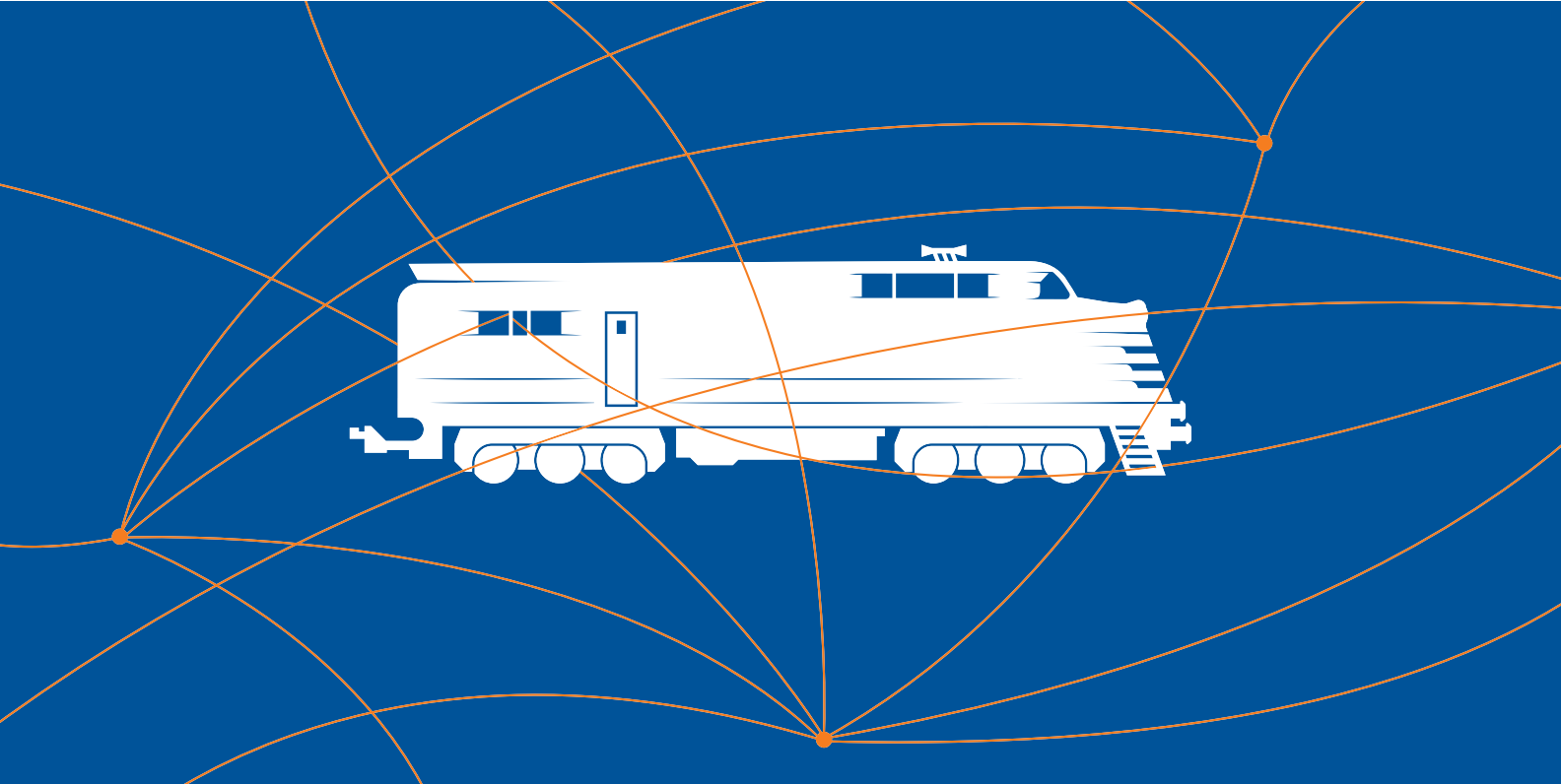


NMB

NATIONAL
MEDIATION
BOARD

ANNUAL PERFORMANCE
AND ACCOUNTABILITY
REPORT 2015



CHAIRMAN'S LETTER

November 16, 2015

In 1926, labor and management on the nation's railways came together to ask Congress and the President to reform labor laws that applied to their industry. The resulting Railway Labor Act (RLA), as amended, included provisions to protect the public interest by preventing disruptions of interstate commerce from a capricious strike or lockout. The Act was eventually amended to include the airline industry and create the National Mediation Board (NMB), which administers the Act generally, and has done so for over 80 years.

These two industries are vital infrastructure for the most important economy in the world. As of 2012, civil aviation contributed \$1.5 trillion to our economy, equating to 5.4% of the gross domestic product -- not to mention, 11.8 million jobs.¹ In 2011, with the nation's largest freight railroads and their employees negotiating new collective bargaining agreements, it was estimated that a work stoppage would cost the country \$2 billion a day.² Today, those numbers are even bigger, yet the NMB continues to assist the industries in keeping America moving. In FY 2015, the costs to the economy of a single day railroad or major airline work stoppage would pale in comparison to the NMB's entire appropriation of just over \$13 million. Similarly, a public transit disruption would disrupt some of our largest cities and bring commerce to a halt.

In our Office of Mediation Services, statutory mediation cases have become substantially complicated by expected changes to health insurance plans from the Affordable Care Act (ACA). Traditionally, the airlines and railroads have provided very comprehensive healthcare, but plans are expected to be scaled back to avoid costs and the potential for the excise tax that becomes active in 2018. Despite that new challenge, the agency continued its longstanding success by resolving bargaining disputes at a 99% success rate. During FY 2015, two Presidential Emergency Boards (PEBs) were established, one for Southeastern Pennsylvania Transportation Authority (SEPTA) and one for New Jersey Transit Rail (NJT). SEPTA and their employees were ultimately able to come to an agreement and avoid a disruptive work stoppage. The NJT PEB saw a history making accomplishment as an all-female PEB was established, a significant milestone in an industry predominately male.

The Office of Alternative Dispute Resolution Services (ADR) has been used consistently in training the parties to better work with each other and to improve the effectiveness of the agency. Through facilitation and training, the agency is able to reduce the number of issues the parties have when they progress to statutory mediation. Further, we have been able to reduce the case load of our Arbitration Department through the use of grievance mediation.

The Office of Legal Affairs (OLA) administers the statutory mandate of ensuring employee freedom of association and the right to choose a representative without interference from a carrier or union. This year we have seen a number of cases arising from the merging of airlines, jurisdictional deference and questions from the National Labor Relations Board, and some novel issues of first impression all the while still operating at high level of quality and efficiency in meeting our strategic goals.

For FY 2015, the Office of Arbitration Services worked on information and communication technology improvements to allow cases to be docketed and closed more quickly. In the past, also, arbitrators were paid per day of work, but for this fiscal year we moved our pay-per-case pilot into full effect. This change will allow the NMB to have more cases heard per month, but also meet fiscal accounting responsibilities more effectively as well. The Office also produced two free online video training programs on arbitration processes that are on the website.

Our Office of Administration (OA) provides the NMB with budgeting and managerial support. Among other efficiency improvements, OA obtained new environmentally friendly copiers, on-boarded three new mediators, reviewed and streamlined agency contracts and service agreements and improved financial reporting. Additionally, OA is overseeing our office lease and a possible relocation in 2017. For the first time in recent history, the Independent Auditor's report found no deficiencies in the NMB's internal control over financial reporting. This significant conclusion is attributable to the agency's commitment to improve financial management and accountability in support of our agency's mission.

Most importantly, however, all NMB staff working together ensured that the agency again received an unqualified opinion from our auditors while meeting all our performance goals as outlined more fully in the rest of this report.



Nicholas Geale

Chairman

¹ The Economic Impact of Civil Aviation on the U.S. Economy (Fed. Aviation Admin June, 2014).

² NCCC Statement on Presidential Emergency Board Recommendations, <http://www.raillaborfacts.org/news/nccc-statement-on-presidential-emergency-board-recommendations> (November 5, 2011).

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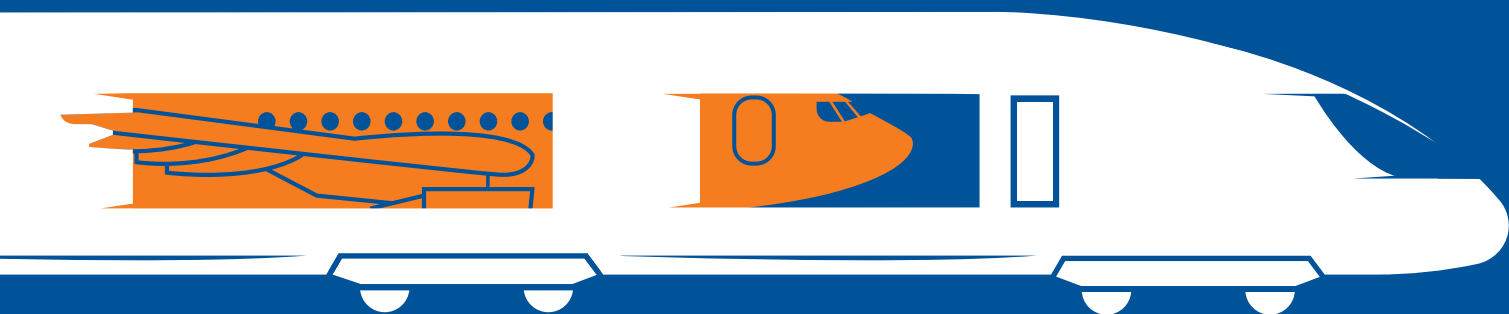
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ABOUT THE NMB

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MISSION STATEMENT

The National Mediation Board (NMB) was established by the 1934 amendments to the Railway Labor Act (RLA) of 1926. It is an independent, federal agency performing a central role in facilitating harmonious labor-management relations within two of the nation's key transportation sectors: the railroads and airlines.

The NMB is headed by a three-member board nominated by the President and confirmed by the Senate. Although appointed for three-year terms, members may serve until replaced. The members self-designate a Chairman, typically on a yearly basis.

Pursuant to the Railway Labor Act, the Agency's integrated dispute-resolution processes are designed to promote the following three statutory goals, enabling the National Mediation Board to effect its mandate to minimize work stoppages in the railroad and airline industries:

1. The resolution of disputes arising out of the negotiation of new or revised collective bargaining agreements.
2. The effectuation of employee rights of self-organization where a representation dispute exists; and
3. The resolution of disputes over the interpretation or application of existing collective bargaining agreements.

In order to realize these goals, the NMB Chief of Staff oversees an Office of Administration and two offices that house program areas: (1) Office of Mediation and ADR Services, and (2) Office of Arbitration Services. The Office of Legal Affairs constitutes the third program area and is overseen by NMB's General Counsel. For further information, see the Management Discussion and Analysis section of this Annual Report.

* The Railway Labor Act (RLA) provides a comprehensive statutory framework for the resolution of labor-management disputes in the airline and railroad industries. Enacted in 1926 as a collaborative effort of labor and management, the RLA succeeded several previous federal statutes dating back to 1888. The 1926 Act provided for mandatory Mediation and voluntary Arbitration of railroad disputes in contract negotiations, as well as for Presidential Emergency Boards to enhance dispute resolution. Key amendments to the Act in 1934 established a three-member National Mediation Board (NMB) and authorized the resolution of employee Representation disputes by the NMB. In 1936, the jurisdiction of the RLA was expanded to include the airline industry. The 1981 amendment to the Act permitted the creation of specialized Presidential Emergency Boards for collective bargaining disputes at certain commuter railroads.

**NMB
STRUCTURE**

CHAIRMAN AND MEMBERS OF THE BOARD

NICHOLAS C. GEALE ¹ Chairman	LINDA A. PUCHALA Member	HARRY R. HOGLANDER ² Member
Shawn Packer Confidential Assistant	Olybia Angelopoulos Confidential Assistant	Robin Stein Confidential Assistant

EXECUTIVE DIRECTORS

OFFICE OF CHIEF OF STAFF

DANIEL RAINEY Chief of Staff	Charles Montague Chief Information Officer
	Dean Wagner Program Analyst
	Timothy Strickler Contractor

OFFICE OF LEGAL AFFAIRS

MARY JOHNSON General Counsel	Cristina Bonaca Counsel
Maria-Kate Dowling Associate General Counsel	Angela Heverling Counsel
Norman Graber Counsel	Tonya Kirksey Paralegal Specialist
Eileen Hennessey Counsel	
Andres Yoder ³ Counsel	

DIRECTORS

**OFFICE OF MEDIATION
AND ADR**

MICHAEL KELLIHER Deputy Chief of Staff	James Mackenzie
Patricia Sims Senior Mediator	Victoria Gray
Terri D. Brown Senior Mediator	Jane Allen ⁴
Denise Hedges Senior Mediator (ADR)	Eva Durham ⁵
LoValerie Mullins Mediator (ADR)	Catherine McCann ⁶ Mediators
John Kane	April Dawson Conflict Resolution Specialist
John Livingood	Karen Burton Mediation Program Specialist
Anthony Tosi	
Gerry McGuckin	

**OFFICE OF
ARBITRATION**

ROLAND WATKINS Director
Carol Conrad Supervisory Program Management Specialist
Elijah Crayton Paralegal Specialist
Tia Little Arbitration Program Specialist
Kimberly McCann Arbitration Program Specialist (Chicago)
Linda Gathings Arbitration Program Specialist (Chicago)

**OFFICE OF
ADMINISTRATION**

SAMANTHA T. JONES Assistant Chief of Staff, Administration
Denise M. Murdock Program & Management Analyst
Eric B. Johnson Budget & Financial Analyst
Bruce Conward, Jr. Support Service Specialist
Terran C. Walker Support Service Specialist
Genet Kidane Contractor

¹ Became Chairman on July 1, 2015.

² Served as Chairman in fiscal year 2014 through June 30, 2015.

³ Joined NMB on March 9, 2015.

⁴ Joined NMB on June 15, 2015.

⁵ Joined NMB on June 1, 2015.

⁶ Joined NMB on June 1, 2015.

CHAIRMAN



Nicholas C. Geale

Chairman Geale was confirmed by the United States Senate on August 1, 2013. He assumed his position with the National Mediation Board (NMB) on August 19, 2013.

Immediately prior to joining the NMB, Chairman Geale served as the Director of Oversight and Investigations for Ranking Member Lamar Alexander on the U. S. Senate Health, Education, Labor and Pensions Committee. His primary responsibilities included investigating waste, fraud and abuse in government programs, and he worked with agency Inspectors General and the Government Accountability Office in that capacity. He also evaluated and advised the Committee on Presidential nominees and assisted the Health, Education, Labor and Pensions policy teams in evaluating government programs. Before becoming Director of Oversight, Chairman Geale served as Oversight and Investigations Counsel on the Committee for two years for Ranking Member Michael B. Enzi.

Prior to joining the HELP Committee, he was first an Attorney/Advisor to the Solicitor and then the Counselor to the Deputy Secretary at the U.S. Department of Labor under the leadership of Secretary Elaine L. Chao. In both those roles, Chairman Geale assisted the Department in implementing policies for over 180 laws under its jurisdiction and managing the Department's 15,000 employees. Prior to federal service, Chairman Geale had six years of experience in labor and employment matters, general commercial litigation and alternative dispute resolution in private and public practice, including serving as Assistant General Counsel for the Washington Metropolitan Area Transit Authority. Chairman Geale graduated from Georgetown Law in 1999 and Claremont McKenna College in 1996.

MEMBER



Harry R. Hoglander

Member Hoglander was first confirmed as a Member of the National Mediation Board (NMB) by the United States Senate on August 1, 2002; his fourth and most recent confirmation came on August 1, 2013. Member Hoglander has been named five times as Chairman of the Board, most recently from July 1, 2012, through June 30, 2013.

Prior to joining the Board, Member Hoglander served as a Legislative Specialist in the office of Congressman John Tierney of Massachusetts with responsibilities in Transportation issues including aviation, rail and maritime, Labor, Defense and Veterans Affairs.

Member Hoglander has an extensive background in the aviation industry and labor relations, having flown as a Captain for Trans World Airline (TWA) and elected Master Chairman of TWA's Master Executive Council. He was also elected Executive Vice-President of the Air Line Pilots Association. After leaving TWA, Member Hoglander was named Aviation Labor Representative to the United States Bi-Lateral Negotiating Team by then Secretary of State James Baker.

Member Hoglander was also a pilot in the United States Air Force, retiring with the rank of Lt. Colonel. He graduated from Suffolk University Law School and is a member of the Florida Bar.

Member Hoglander and his wife Judith reside in Gloucester, Massachusetts. They have six grown children.

MEMBER



Linda A. Puchala

Member Linda A. Puchala was first confirmed as Member of the National Mediation Board by the United States Senate on May 21, 2009. She was sworn into office on May 26, 2009. Ms. Puchala has served as NMB Chair three times: May 2009 through June 2009, July 1, 2011 through June 30, 2012, and July 1, 2013 through June 30, 2014. Her most recent Senate confirmation came on August 1, 2013.

Prior to becoming a Member, Ms. Puchala served 10 years at the National Mediation Board as a Mediator, Sr. Mediator (ADR) and the Associate Director of Alternative Dispute Resolution Services. Ms. Puchala's prior labor relations experience includes work as International President of the Association of Flight Attendants-CWA, AFL-CIO and Staff Director, Michigan State Employees Association, AFSCME, AFL-CIO.

Ms. Puchala resides in Glen Burnie, Maryland, and holds a Bachelor's degree in Business Administration from Cleary University in Howell, Michigan. She has two daughters, Jennifer Adams and Jessica Puchala.

CHIEF OF STAFF



Daniel Rainey

Daniel Rainey is the Chief of Staff for the National Mediation Board. He joined the NMB from private practice in ADR and conflict management in April, 2001.

As Chief of Staff, he is responsible for managing the agency's internal programs, and he has full responsibility for implementing the Board's policies in all matters coming under its jurisdiction in the administration of the Railway Labor Act, except for those related to the Board's legal representation program and FOIA requests.

Immediately prior to coming to the NMB, Mr. Rainey was the owner/president of a consulting firm specializing in conflict management, conflict intervention, and training. From 1978 through 1990, he was a faculty member and administrative faculty member at George Mason University.

GENERAL COUNSEL



Mary Johnson

Mary L. Johnson is General Counsel of the National Mediation Board. As General Counsel, she serves as the Chief Legal Officer of the agency and manages the Board's representation program and a legal program which includes litigation. In this role, Ms. Johnson provides legal advice to the Board Members and agency staff. In addition, she ensures compliance with the Freedom of Information Act, Government in the Sunshine Act, and other statutes.

Ms. Johnson received her Juris Doctor from the University of Connecticut School of Law and her A.B. from Barnard College. She is a member of the Connecticut Bar and public Co-chair of the Railroad and Airline Labor Committee of the Labor and Employment Law Section of the American Bar Association.

DEPUTY CHIEF OF STAFF



Michael Kelliher

Michael Kelliher joined the National Mediation Board in August, 2010 as a Mediator. In that capacity, he handled both airline and railroad mediation cases, and conducted Interest Based Bargaining, Facilitative Problem Solving, Grievance Mediation, and System Board of Adjustment training. Currently, Mr. Kelliher serves as the Deputy Chief of Staff and has overall responsibility for the administration and management of mediation cases in the airline and railroad industries as well as the Agency's Alternative Dispute Resolution Program.

Mr. Kelliher brought thirty years of labor relations experience to the Board. He worked in a variety of capacities as a labor advocate, including a term as President of the Association of Professional Flight Attendants. Prior to joining the Board, he taught as an adjunct professor of management in the Brennan School of Business at Dominican University in River Forest, IL.

Mr. Kelliher earned his undergraduate degree and MBA from Dominican University. He holds a certificate in mediation from Northwestern University's School of Continuing Studies and earned an Ombudsman certificate from the United States Department of Defense.

**ASSISTANT
CHIEF OF STAFF,
ADMINISTRATION**



Samantha T. Jones

Samantha T. Jones is the Assistant Chief of Staff for Administration at the National Mediation Board. Her federal government experience, which spans over 16 years, includes Human Resources, Human Capital, Budget Formulation and Execution, Financial Management, Procurement and Contracting, Audit Management, Strategic Planning, Organizational Management, Mediation, Grievance Mediation, and Conflict Coaching. Mrs. Jones is responsible for the Board's Administrative Management functions including Strategic planning; Budgeting Formulation and Execution; Accounting and Finance; Human Resources Management; Space and Facilities Management; Procurement and Contracting; and Internal Audit and external audit control. In addition, she provides an overall management framework to support the Agency's acquisition system to ensure that it effectively and efficiently supports essential agency programs and initiatives

Prior to joining the NMB in 2005, Mrs. Jones was employed by the National Capital Planning Commission where she served in many capacities providing advice and guidance to the Administrative Officer and Senior Management on matters related to Property Management, Space and Facility Management, Procurement, Human Resources Management, Strategic Planning, Accounting and Finance, and Budget Formulation and Execution.

Mrs. Jones holds a Bachelor of Science in Business Management with a minor in Computer Studies from the University of Maryland, and she also holds a Master's in Conflict Resolution from Dominican University. Additionally, Mrs. Jones is an Emerging Human Resources alumni from the non-profit organization Partnership for Public Service Program. She has certifications in Mediation Skills, Conflict Coaching, and Online Dispute Resolution. Mrs. Jones received training in Mediating and Arbitrating in the Federal Sector at Cornell University's ILR School-The Sheinman Institute on Conflict Resolution. Mrs. Jones is a member of the Association for Conflict Resolution, and also serves as the NMB's Principal Management Official on the Small Agency Council Executive Committee.

**DIRECTOR,
OFFICE OF
ARBITRATION
SERVICES**



Roland Watkins

Roland Watkins joined the National Mediation Board in February, 1980. During his career at the Board, he has been a Senior Hearing Officer and Legal Counsel. He has also served as counsel/special assistant to numerous Presidential Emergency Boards and Congressional Advisory Boards.

Currently, Mr. Watkins serves as the Director of the Arbitration Department, where he is responsible for all aspects of Grievance and Interest Arbitration in the airline and railroad industries. These responsibilities include administering railroad Public Law Boards, Special Boards of Adjustment and Arbitration Boards. He serves as the Administrator for the National Railroad Adjustment Board which is located in Chicago, Illinois.

Mr. Watkins received his B.A. degree in Economics from Lafayette College located in Easton, Pennsylvania, and his Juris Doctor from Cornell Law School in Ithaca, New York. He is a member of the Railroad and Airline Labor Committee and the Dispute Resolution Committee of the Labor and Employment Law Section of the American Bar Association.

**REGISTRY OF
BOARD
MEMBERS**

NAME	START DATE	END DATE
Nicholas C. Geale	08-19-13	Active ¹
Linda A. Puchala	05-26-09	Active ²
Elizabeth Dougherty	12-13-06	06-02-12
Read Van de Water	12-11-03	05-22-09
Harry R. Hoglander	08-06-02	Active ³
Edward J. Fitzmaurice, Jr.	08-02-02	12-13-06
Francis J. Duggan	11-22-99	11-21-03
Magdalena G. Jacobsen	12-01-93	08-02-02
Ernest W. DuBester	11-15-93	08-01-01
Kenneth B. Hipp	05-19-95	12-31-98
Kimberly A. Madigan	08-20-90	11-30-93
Patrick J. Cleary	12-04-89	01-31-95
Joshua M. Javits	01-19-88	11-14-93
Charles L. Woods	01-09-86	01-15-88
Helen M. Witt	11-18-83	09-18-88
Walter C. Wallace	10-12-82	07-01-90
Robert J. Brown	08-20-79	06-01-82
Robert O. Harris	08-03-77	07-31-84
Kay McMurray	10-05-72	07-01-77
Peter C. Benedict	08-09-71	04-12-72
David H. Stowe	12-10-70	07-01-79
George S. Ives	09-19-69	09-01-81
Howard G. Gamser	03-11-63	05-31-69
Robert O. Boyd	12-28-53	10-14-62
Leverett Edwards	04-21-50	07-31-70
John Thad Scott, Jr.	03-05-48	07-31-53
Francis A. O'Neill, Jr.	04-01-47	04-30-71
Frank P. Douglass	07-03-44	03-01-50
William M. Leiserson	03-01-43	05-31-44
Harry H. Schwartz	02-26-43	01-31-47
David J. Lewis	06-03-39	02-05-43
George A. Cook	01-07-38	08-01-46
Otto S. Beyer	02-11-36	02-11-43
John M. Carmody	07-21-34	09-30-35
James W. Carmalt	07-21-34	12-02-37
William M. Leiserson	07-21-34	05-31-39

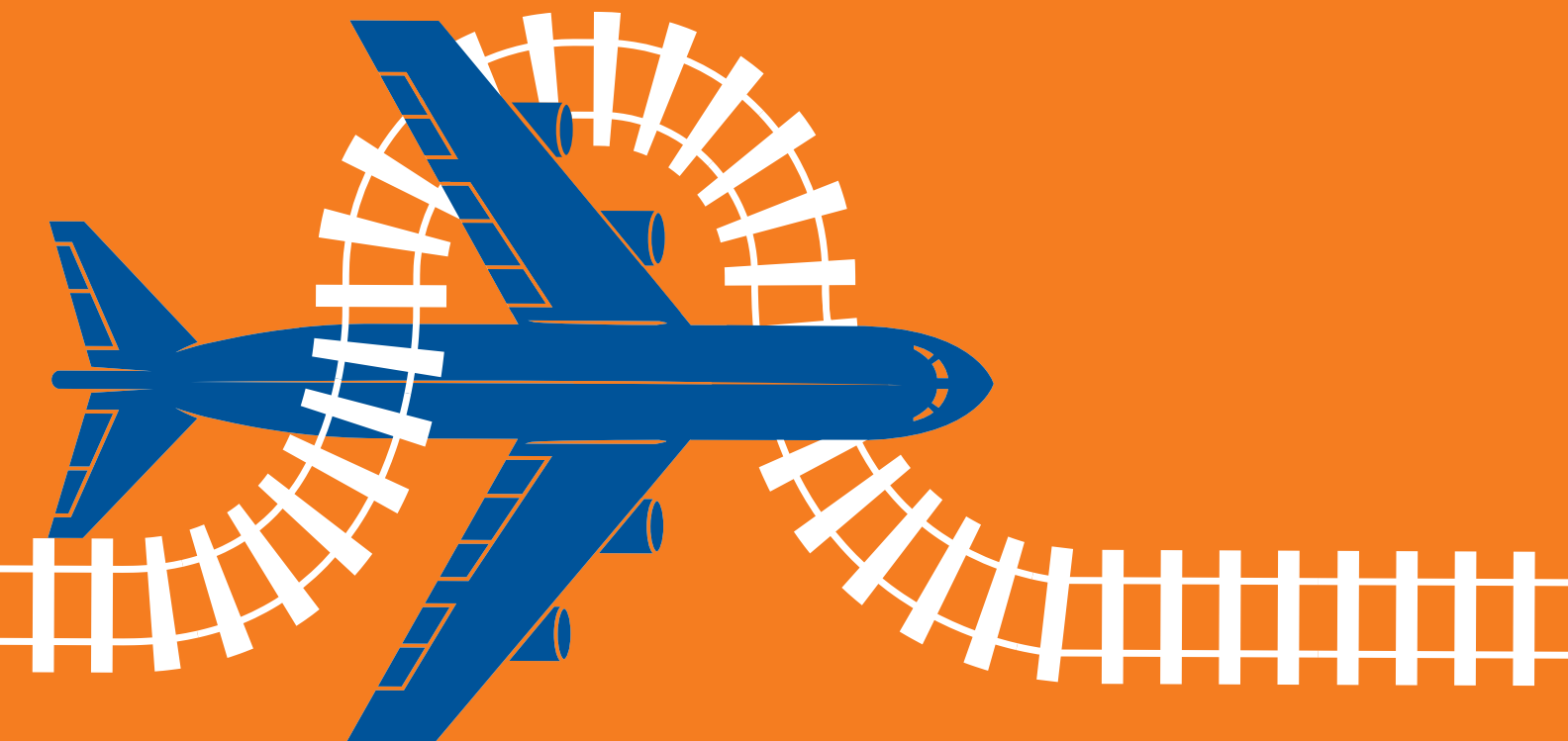
¹Term ends June 30, 2016.

²Term ended June 30, 2015.

³Term ended June 30, 2014.

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CHIEF
OF STAFF
LETTER

November 16, 2015

FY 2015 was a year of significant service and exceptional performance across all of the Offices of the National Mediation Board. Case reports and descriptions of work in Representation, Mediation, and Administration are contained in the text of this report. In the background, behind the case numbers, are some special accomplishments in the areas of Information and Communication Technology (ICT), Section 3 (Arbitration), and Training.

The ICT staff worked with the Office of Arbitration Services, the parties, and the arbitrators to completely revitalize the Arbitrator Work Space (AWS), the one-stop shop for arbitrators and parties engaged in arbitration under the Railway Labor Act. The old AWS was a model for online access to case information, arbitrator caseloads, and for tracking and compensating work by the arbitrators who hear and decide cases in the railroad industry. The new AWS extends the functions of the old system and incorporates controls that significantly improve the delivery of arbitrations services to the parties.

As Section 3 enters FY 2016, significant changes and improvements in the Section 3 process are in place and tracked by the AWS. All cases are now on a pay-per-case basis, allowing for accurate budgeting, and allowing for maximum flexibility in scheduling for the arbitrators. All cases funded before FY 2014 have been decided or withdrawn, leaving the system with no case over 3 years old - this is a condition that has not existed in living Section 3 memory. By the end of FY 2016, all cases funded in FY 2014 will have been cleared, and all cases funded in FY 2015 will be well on the way to being cleared. This will mean that, with new guidelines in place and tracked by the AWS, the maximum "case life" from funding to decision will be 210 days. This has never before been the case in the history of Section 3.

There are challenges left to address. Reduced funding and increased activity by the parties mean that there is beginning to be a backlog of cases waiting to be funded. For this reason, we are calling FY 2016 the "Year of Innovation" in Section 3. Focus groups and working groups made up of representatives of the NMB, the arbitrator community, the carrier grievance handling community, and the organization grievance handling community, will meet and work to find ways to streamline, improve, and reinvent the Section 3 process to ensure that grievances are handled as quickly and fairly as possible.

During FY 2015, ICT and the Office of Arbitration Services continued to work together to make available to the parties an array of online tools to handle grievances without incurring the cost of travel. Web video continued to be available, and during FY 2015 the NMB inaugurated a "documents only" arbitration platform that allowed the parties and the arbitrator to exchange documents and discuss cases using a secure, asynchronous text-based platform that obviated the need to schedule hearings. Both systems remain available in FY 2016.

The Office of Mediation Services and the Office of Arbitration Services collaborated during FY 2015 to make significant strides in the NMB's Grievance Mediation program.

Grievance mediation is significant because cases handled in mediation do not constitute part of the backlog of cases in the system, and they greatly reduce the cost of grievance handling to the parties and to the NMB. In FY 2015, grievance mediation resolved 216 railroad cases that were already in the NMB Section 3 system, and further resolved many cases that had not yet been filed with the NMB.

Railroad grievance handlers estimate that each case taken to arbitration costs the carrier approximately one thousand dollars (\$1,000), and costs the organization approximately two hundred and sixty dollars (\$260). Using these approximate figures, grievance mediation saved the carriers \$216,000 during FY 2015, and grievance mediation saved the organizations \$56,000 during FY 2015. If one takes into consideration the approximately 300 cases resolved before being filed for arbitration, the figures are considerably higher: over half a million dollars in savings for the carriers and over one hundred thirty thousand dollars in savings for the organizations. Significantly for the NMB, clearing the cases in grievance mediation meant that \$136,000 saved by resolving in mediation could be used for other cases in line for arbitration.

In the airline industry, the parties pay the arbitration costs, so the NMB realizes no immediate financial advantage. However, if one calculates the cost of arbitration for the carriers and organizations in the airline industry, the 508 cases resolved in grievance mediation constitute a significant savings to the parties.

Finally, in FY 2015 the NMB continued its innovative training and development partnerships. Agreements with Dominican University, a professor at Temple University, and the Northern Virginia Mediation Service allowed NMB employees to take training and academic courses for no fee. In the case of Dominican University, NMB employees continue to be able to enroll in a master's degree program for half price, with two courses free.

CHIEF
OF STAFF
LETTER
CONTINUED

At Dominican University, in FY 2015, four NMB employees were enrolled in the master's program as a way to further their education in dispute resolution with classes directly applicable to their work at the NMB. 15 NMB staff members were able to take mediation and negotiation courses for no charge, a savings in training costs to the NMB of approximately \$25,000. Further, faculty at Dominican delivered specialized training to the NMB at no charge, saving a further \$8,000. The Dominican IT staff produced a series of video programs on arbitration issues, with recording and editing services, at no charge. And, finally, the Dominican Business Administration Graduate School engaged students in a project to develop a public outreach approach to increase the use of grievance mediation. In exchange, the NMB teaches the mediation and negotiation classes for Dominican (which are mandatory basic training for our mediators), which is a developmental exercise for the mediators as well as a learning experience for students.

The Temple University professor with whom the NMB has a reciprocal agreement is one of the acknowledged experts in conflict coaching, a subject directly related to the work of the NMB. The professor brings her coaching training to the NMB, allowing NMB staff to attend for no charge. This has meant training cost savings of approximately \$18,000 in FY 2015.

Northern Virginia Mediation Service, a local community mediation center, offers training at the NMB, and reserves space for NMB staff at no charge. The NVMS courses cover a range of conflict resolution issues, all of which are directly applicable to the work of the NMB. Over the course of FY 2015, this arrangement has resulted in training cost savings of approximately \$1,000.

As we look back to FY 2015, I can again say that the NMB has used innovative approaches across all of its mission areas to deliver service to the parties and use public money wisely. As we move into FY 2016 - the "Year of Innovation" - we look forward to creatively meeting the challenges of maintaining the Board's traditionally high level of performance.



Daniel Rainey
Chief of Staff

MEDIATION & ADR

The Office of Mediation and Alternative Dispute Resolution Services (OMS) manages mandatory mediation of collective bargaining disputes pursuant to statutory authority under Section 6 of the Railway Labor Act (RLA), which is applicable to both the airline and railroad industries. The ADR component of OMS offers voluntary dispute resolution programs to the parties including facilitation, grievance mediation, training, and other dispute resolution efforts.

MEDIATION OVERVIEW

The RLA requires labor and management to exert every reasonable effort to make and maintain collective bargaining agreements. Initially, the parties must give notice to each other of their proposals for new or revised agreements. Direct Negotiation between the parties must commence promptly and continue in an effort to conclude a new collective bargaining agreement or to narrow their differences. Should parties fail to reach agreement during direct negotiations, either party or the parties jointly may apply to the NMB for mediation. Following receipt of an application, the NMB promptly assigns a mediator to assist the parties in reaching an agreement. An application for NMB Mediation Services may be obtained from the Agency's website at www.nmb.gov

The NMB is obligated under the Act to use its "best efforts" to bring about a peaceful resolution of the dispute. If such efforts do not settle the dispute, the NMB advises the parties and offers Interest Arbitration (proffers arbitration) as an alternative approach to resolving the remaining issues. If either party rejects this offer of binding arbitration, the NMB releases the parties from formal mediation. This release triggers a thirty-day Cooling Off period, during which the Agency continues to work with the parties to achieve a consensual solution to the dispute. However, if an agreement is not reached by the end of the thirty-day period and the President of the United States does not establish an Emergency Board, the parties are free to exercise lawful self-help, which includes carrier-imposed working conditions or a strike by the union/organization.

A flow-chart of mediation procedures can be found in the Mediation section of the NMB website at www.nmb.gov

MEDIATION HIGHLIGHTS

Mediation activity for collective bargaining agreements was robust in FY 2015, and in a wide range of cases. Mediators effectively used their skills to assist parties in finding ways to bridge their disputes and reach agreement. Agreements were mediated in the airline sector with mainline, regional and low cost carriers, and in the rail sector with freight and commuter lines. Challenges at the bargaining table included consolidating agreements after mergers; working with limited public funding; and dealing with health care changes.

Settlements

In the airline sector, settlements were reached between Alaska Airlines and AFA and at Southwest Airlines with the IAM. In the rail sector, the Long Island Railroad and Metro North Railroad reached agreements this year with their unions, as did the Grand Trunk Western Railroad and SMART, and SEPTA and the BLET.

Pending Cases

We continue to work with United and IBT mechanics and related classifications and United and its AFA Flight Attendants on merged collective bargaining agreements, as well as on contracts with UPS and its IPA pilots and mechanics. On the rail side, Metra, MAP, BRS, IAM, IBEW, NCFO, SMART, and other Class II Railroads continue to bargain with unions on their properties.

MEDIATION CASES

START PENDING



NEW



SUM



CLOSED



END-PENDING



*The Mediation Department completed a changeover from a manual to an automated case management system in Fiscal Year 2015. After the changeover was complete, the audit revealed an error in the old system which resulted in incorrect case numbers

ADR OVERVIEW

In addition to statutory mediation and arbitration services under Sections 3 and 6 of the RLA, the NMB provides voluntary Alternative Dispute Resolution (ADR) services. ADR Services include facilitation, training, grievance mediation, and an online dispute resolution (ODR) program, applying technology to the dispute resolution process.

The primary goal of the NMB's ADR program is to assist the parties in learning and applying more effective, less confrontational methods for resolving disputes. Another goal is to help the parties resolve more of their own disputes without outside intervention, and to use appropriate ODR technology to increase the efficiency and reduce the cost of dispute resolution efforts for the parties.

The NMB established its ADR Services program with the conviction that use of ADR and ODR methods would result in fewer cases progressing to statutory mediation, reducing and narrowing the issues that the parties bring to mediation, and positively affecting working relationships among the parties.

A complete description of and an application for ADR Services may be found on the Agency's website at www.nmb.gov

ADR HIGHLIGHTS

ADR personnel continued to develop and deliver a wide range of services, including training (T cases), facilitation (F cases), grievance mediation (GM cases), facilitated problem solving (FPS) and Online Dispute Resolution (ODR). These services included training programs and facilitation efforts outside of, and in addition to traditional grievance mediation work.

Training

ADR Services has seen interest grow in its pre-negotiation training and in mediation skills training for internal organization self-help use. Skill at instructing has been a by-product of the Agency's partnership with Dominican University where teaching mediation and negotiation courses turns into a learning opportunity for the mediators who teach the courses. In FY 2015, mediator teams developed and delivered three presentations on mediation models at the Association of Conflict Resolution Conference.

Facilitation

Mediators have been active on several properties using facilitation to help parties reach resolution to their disputes. United and AFA initially used a facilitated approach to merge their agreements, facilitation was used at CSX with the BRS to align multiple regional agreements, and at Virgin America as it negotiates an initial agreement with its TWU represented flight attendants. With each experience, the NMB's knowledge base grows, and best practices from the process increase to the parties' benefit.

Grievance Mediation

Interest in Grievance Mediation continues to grow with the parties we serve in both the air and rail sectors. Activity in the rail sector has helped reduce the case load in the NMB's Arbitration Department, and serves to quicken the resolution of grievances. Grievance Mediation has served to solve problems before they become grievances, and helped to clarify issues ahead of bargaining.

Online Dispute Resolution

In cooperation with the Arbitration Department and the Dispute Resolution Program at Dominican University, a new Info Series is now on line that highlights areas of interest to the railroad industry. As each session is completed, it is being uploaded to the NMB's Lyceum (online training site) accessible through the NMB website at <http://www.nmb.gov/services/nmb-lyceum-center/>. The first two sessions are now available; "Hearing Expectations of Arbitrators" and "How Arbitrators are Selected by the Parties."

Partnerships

In partnership with Dominican University, the ADR staff designs and delivers trainings and presentations that provide quality training and complement employee's and student's career development alike. The partnership has successfully created shared value for all participants. The NMB's Info Series on Arbitration is one example of shared value with Dominican University. The NMB provides content, and Dominican handles the video and editing. Both share use of the videos developed.

ADR CASES

START PENDING



NEW



SUM



CLOSED



END-PENDING



*The Mediation Department completed a changeover from a manual to an automated case management system in Fiscal Year 2015. After the changeover was complete, the audit revealed an error in the old system which resulted in incorrect case numbers

ADMINISTRATION OVERVIEW

The Office of Administration (OA) provides operational management, leadership and support for the entire agency. These services include: budgeting; accounting and finance; human resources management; procurement and contracting; telecommunications; property and space management; and office support.

ADMINISTRATION HIGHLIGHTS

Human Capital

As the NMB moves to take advantage of online services in the personnel arena, the agency is increasing efficiency and effectiveness, the results of which can be seen in the agency hiring process. For internal posting, the NMB routinely completes the hiring process within 30 days. In cases involving delegated examining positions, the NMB continues to show movement toward the 80 day standard process.

The NMB continues to use the E-verify system to ensure that all new appointees are eligible to work. In addition, the NMB conducts three individual surveys for all new hires to assess their intake experience. The results help to improve the training and orientation process for not only the new hires but also as a refresher for our current staff.

Succession planning continues to be challenging for the NMB, but the agency's new Succession and Workforce Plan analyzes the NMB's future staffing requirements and sets forth strategies for adequately recruiting, promoting, and retaining employees.

Training plans, both through the IDP's and the department training plans, stress career development, including details and shadow assignments, as a way to broaden skills and prepare for job transitions.

The agency uses internal details when possible to broaden skills and give staff exposure to a range of work possibilities within the agency.

The NMB is working with the Office of Personnel Management and the Department of Interior to improve its human capital operations and payroll. This will continue the NMB's objective of providing all its services electronically.

Information Technology

In accordance with the NMB's Capital Plan, the NMB reviewed options for its information technology equipment while taking steps to move completely into cloud computing. The NMB has implemented Google Mail, Google Drive and Google Calendar for all employees, with all records and documents stored and retrieved from secure cloud servers. This has resulted in the elimination of on-site servers, with the attendant savings in replacement and maintenance costs, and a reduced cost for network consulting services. The NMB also has moved the NMB's Corporate Memory and Knowledge Store to a cloud platform consistent with government requirements.

Continuity of Operations

The NMB participated in the Eagle Horizon 2015 National Level Exercise which included a tabletop exercise to test readiness to exercise objectives related to alert and notification, communications, devolution of control and authority, and reconstitution. Eagle Horizon 2015 is an internally evaluated exercise focusing on reviewing basic continuity procedures, as well as improving understanding of devolution, extended operations, and reconstitution concepts. As part of this exercise, the NMB identified program strengths and areas for improvement.

ADMINISTRATION HIGHLIGHTS

Financial Performance

The NMB has entered into an agreement with the Bureau of Fiscal Services (BFS) to improve our financial reporting and processing by moving to a newer and more robust online platform, managed for the NMB under contract by BFS. This agreement will place at our fingertips up-to-date financial information that can be used to make efficient financial decisions. The Office of Administration provides budget planning, budget development, and oversight of budget execution. In addition, OA is responsible for the maintenance of the Agency's core accounting system; financial reporting to the Office of Management and Budget (OMB) and Treasury; payments to vendors for goods and services received; issuing bills; and the preparation of the Agency's financial statements which are audited on an annual basis. The NMB continues to work with an outside firm to audit its financial statements. For the eighteenth consecutive year, Allmond & Company reported that the financial statements were presented fairly, in all material respects, and in conformity with U.S. generally accepted accounting principles (GAAP) for Federal agencies. With the lapse in funding, the deadline for the audited financial statements was revised.

Procurement

With the new partnership with BFS, the NMB utilizes PRISM to electronically create requisitions, purchase orders, and inter-agency agreements. This system, along with new processes and procedures, is ensuring that the NMB complies with all applicable rules and regulations governing contracting.

Travel

The NMB currently uses the Concur Government Edition (CGE) Travel Services. CGE is an electronic online system which reduces the per-ticket cost for travelers. This system provides an electronic process for authorization, vouchers, and reimbursement. The NMB entered into a new agreement with Duluth Travel Inc., to serve as the agency's Travel Management Company.

Electronic Government

The NMB provides electronic access to all its policies, and the agency continues to use the NMB website to provide information to its internal and external customers. The website provides access to our internal customers by allowing them to access NMB internal forms, the Knowledge Store (providing current and historical information to the public and our external customers), and the NMB Lyceum.

NMB Corporate Memory

The NMB continues to refine its records and document management program, improving the search engine and further integrating the records database with the agency case management system.

NMB Knowledge Store

NMB staff continued to build and improve the public archive of information available through the NMB Knowledge Store. Currently, the NMB Knowledge Store contains over 100,000 documents in an easily searchable format, including arbitration awards, representation decisions, annual reports, PEB reports, and collective bargaining contracts. During FY 2015, the NMB completed development of a new Knowledge Store interface that speeds recovery of documents, improves the search engine, makes it possible for parties to engage in "direct deposit" of new cases, and frees the data to reside in the new cloud environment created by the agency.

Sustainability

The National Mediation Board is committed to reducing greenhouse gases in accordance with Executive Order 13514 (E.O.). During this year, 63 percent of the NMB employees regularly used public transportation. The Agency provides Alternative Work Schedules (AWS) and Telework programs to its employees to reduce the number of commuters. Currently, 38 out of 44 employees participate in the Smart Benefits program for public transportation. We also purchased new environmentally efficient copiers that generate 90 percent less waste than traditional copiers.

PERFORMANCE
PLAN &
RESULTS (GPRA)

STRATEGIC
PLAN
GENERAL
GOAL 1
MEDIATION
& ADR

This report contains FY 2015 accomplishments of the National Mediation Board relating to goals and objectives for Mediation and Alternative Dispute Resolution; Representation; Arbitration; and Administration. These accomplishments enabled the NMB to meet its statutory obligations and provide services to its airline and railroad labor, management and public customers.

Goal 1: To provide prompt and appropriate assistance for disputes involving pay, work rules, and working conditions (major disputes).

FY 2015 Accomplishments:

NMB standards applicable to processing and managing cases involving major disputes were consistently met in FY 2015. Case processing benefited from introduction of the Agency's Mediation Case Management System to track cases from application to closure.

Case management was accomplished as planned with mediators utilizing appropriate techniques at the table with support from senior mediators acting in an oversight role. Quarterly reviews of cases one year old or older by Board Members and senior mediation management insured that parties to the process received assistance appropriate for their case.

Goal 2: Provide appropriate and effective mediator training and continuous development.

FY 2015 Accomplishments:

New mediator training was redeveloped and enhanced during FY2015 to insure it met NMB standards. The Agency's new mediators are benefiting from a comprehensive program monitored by the senior mediators that includes orientation to the Agency, training in mediation and negotiation through the NMB's partnership with Dominican University's program in Conflict Resolution, training in Conflict Coaching, shadowing mediators as they work cases and integrating into the mediator corps through attending professional conferences and mediator meetings.

Through the use of Individual Development Plans (IDP) each mediator participated in training and development that met his or her individual needs. In addition, training covering industry specific topics was conducted during the bi-monthly mediator meetings. The NMB's partnership with Dominican University provided valuable and specialized training for mediators as they delivered courses in the areas of negotiation and mediation.

Goal 3: Pursue innovation in the delivery of mediation and alternative dispute resolution services.

FY 2015 Accomplishments:

The Agency completed a comprehensive review and update of all of its ADR programs in FY 2015. It is translating its general mediation and negotiation training developed for Dominican University to industry specific training for air and rail to use for internal dispute resolution purposes. Mediators who participate in more innovative alternative dispute resolution training return to debrief the entire mediator corps on what they have learned. Mediators continued to refine ADR strategies and techniques that addressed the unique needs of parties in negotiations, especially in the instances of merging carriers and unions in the airline sector. In the rail sector, parties have used ADR tools to integrate multiple regional provisions into common language.

Goal 4: Improve efficiency and effectiveness of NMB programs by providing leading online dispute resolution (ODR) technology and techniques to the Mediators and the parties.

FY 2015 Accomplishments:

The Agency continues to explore uses for online dispute technology. Mediators make use of WebEx technology to remotely share language and discuss proposals, and electronic flip charting was effectively used by the parties to reach agreements in complex cases merging multiple agreements, to track changes in language, and to share information. Using an asynchronous, text based platform, arbitrators and parties in the Section 3 process were able to submit, discuss, and decide cases with no travel and no synchronous meetings.

**STRATEGIC PLAN
GENERAL
GOAL 2
REPRESENTATION**

Goal 1: Prompt investigation of representation disputes and definitive resolution of employees' representation status for collective bargaining purposes

FY 2015 Accomplishments:

In most cases: OLA responded to representation applications within 2 business days of receipt by the NMB; assigned an investigator within 2 business days of receipt of the application; determined showing of interest within 45 days of docketing an application; and issued a certification or dismissal the next business day after the ballot count.

Goal 2: Enhance training and development of OLA staff.

FY 2015 Accomplishments:

Each OLA staff member updated his or her Individual Development Plan (IDP). Each year OLA employees meet with their manager to update or develop a plan to enhance career related skills. In FY 2015 OLA staff took classes related to the Freedom of Information Act (FOIA), government ethics, records management, procurement, the Railway Labor Act, and conflict resolution.

Goal 3: Enhance outreach opportunities in the legal, labor relations and alternative dispute resolution communities to better inform stakeholders about developments and increase the skills and experience of OLA employees.

FY 2015 Accomplishments:

Members of the Office of Legal Affairs continue to actively participate as panelists and attendees at conferences sponsored by the American Bar Association, American Law Institute, and the Association of Labor Relations Agencies. This year OLA attorneys gave presentations on the Railway Labor Act and recent Presidential Emergency Boards. OLA continued to participate in intra-governmental initiatives with other federal agencies such as the Department of Labor, National Labor Relations Board, and the Federal Mediation and Conciliation Service. OLA attorneys serve as both Senior Editors and Contributing Editors of the Railway Labor Act treatise published by the Bureau of National Affairs and completed the 2015 pocket part supplement of the third edition of this treatise. OLA attorneys are active in the American Bar Association's Labor and Employment Law Section serving as Railway and Airline Labor Law Section's Diversity Liaison to the Committee and as the Public Vice Chair of the Bloomberg BNA Treatise Committee for ABA.

Goal 4: OLA staff provide prompt and efficient assistance to Presidential Emergency Boards.

FY 2015 Accomplishments:

All OLA staff members are trained on Emergency Board Procedures. OLA maintained continuous industry and agency communication at a level that provided for early preparation for potential Presidential Emergency Boards. OLA attorneys served as counsel to two Presidential Emergency Boards.

Goal 5: OLA maintains concise, relevant reference materials that are readily available to the public and which reduce the number of man-hours used to research and respond to inquiries.

FY 2015 Accomplishments:

OLA conducted semi-annual reviews of the Representation Manual and website, updating where appropriate.

Goal 6: Expand the use of technology to further streamline and reduce costs in representation and interference investigations.

FY 2015 Accomplishments:

OLA conducted a test of voice recognition software for use during investigations and drafting representation determinations. OLA also researched other cost and time saving mechanisms in taking employee statements during interference investigations. OLA continues to explore procedures to use electronic delivery of voting instructions.

STRATEGIC
PLAN
GENERAL
GOAL 3
ARBITRATION

Goal 1: Arbitration will provide outstanding service delivery to internal and external customers.

FY 2015 Accomplishment:

An audit was conducted of the administrative caseload processes, and procedures governing public law boards and system boards of adjustments were reviewed with the goal of streamlining. Procedures at the NRAB were also reviewed. Grievance mediation/arbitration was introduced to successfully resolve several aged cases at the NRAB.

Goal 2: To engage in active roster development for the contract arbitrators serving the airline and railroad industries.

FY 2015 Accomplishment:

NMB worked with the outside professional associations to increase the diversity of its applicants for the NMB's Arbitrators roster. NMB participated in an arbitrator training program with Dominican University and several railroads and labor organizations to introduce more arbitrators to railroad arbitration

Goal 3: The Office of Arbitration Services will be a center of innovation in the resolution of "minor" disputes.

FY 2015 Accomplishment:

The NMB met with the Arbitration Forum several times during FY 2015 to discuss innovation to improve the program. NMB also continued its review of all grievance mediation cases.

STRATEGIC
PLAN
GENERAL
GOAL 4
ADMINISTRATION

Goal 1: Provide outstanding service delivery to internal and external customers.

FY 2015 Accomplishment:

The Office of Administration responded to all requests for assistance or service from internal and external customers as soon as received. In addition, new Employee Orientation training was completed for each new employee.

Goal 2: Provide timely, efficient and responsible stewardship of the NMB's fiscal resources.

FY 2015 Accomplishment:

The NMB worked with BFS to ensure that required financial reporting is prepared and submitted timely. The NMB worked with BFS to ensure that 98% of payments were paid timely and accurately.

Goal 3: Ensure agency spending and budgets are transparent and provide the necessary support for each of the agency's missions throughout the whole fiscal year.

FY 2015 Accomplishment:

The NMB has an agreement with BFS to handle the agency's financial management system, and the agency integrated PRISM (a web based procurement system) into its procurement process. The NMB works with the BFS on a regular basis to ensure that the agency's quarterly apportionment is not exceeded.

Goal 4: Improve agency efficiency and public communications through cost effective information and communications technology improvements, including implementing Enterprise Architecture (design, secure and document) the emerging cloud, mobile, and other mechanisms.

FY 2015 Accomplishment:

The NMB completed its transition into the cloud environment for e-mail, calendars, contacts, and records. With this change, the NMB eliminated the majority of its in-house servers and made possible a revision and reduction in price of its network support contract.

Goal 5: Continue to ensure that NMB Information is secure while maintaining a government-leading information and communication technology system.

FY 2015 Accomplishments:

The NMB ensures that all information that contains Private Personnel Information (PPI) is password protected when transmitted electronically.

ARBITRATION OVERVIEW

The RLA provides for both grievance and interest arbitration. Access to grievance arbitration, involving the interpretation or application of an existing collective bargaining agreement, is mandatory under the RLA. The Board has significant administrative responsibilities for the three sources of grievance arbitration in the railroad industry. These sources are the National Railroad Adjustment Board established under the RLA, as well as the arbitration panels established directly by the labor-management parties at each railroad (Public Law Boards and Special Boards of Adjustment). 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. The Board furnishes panels of prospective arbitrators for the parties' selection in both the airline and railroad industries. The NMB has substantial financial responsibilities for railroad arbitration proceedings in that it pays the fees and travel expenses of the arbitrators. Arbitration decisions under the RLA are final and binding with very limited grounds for judicial review.

Interest arbitration is a process used to establish the terms of a new or modified collective bargaining agreement through arbitration, rather than through negotiations. Although the RLA provides an effective process for interest arbitration, its use is not statutorily required. The NMB offers the parties the opportunity to use interest arbitration when the Board has determined that further mediation efforts will be unsuccessful. In addition, the parties may directly agree to resolve their collective bargaining dispute or portions of their dispute through interest arbitration. The NMB generally provides the parties with panels of potential arbitrators from which they select the individual to resolve the dispute. In some instances, the parties' agreement to arbitrate allows the NMB to directly appoint an arbitrator. The interest arbitration decision is final and binding with very narrow grounds for a judicial appeal.

When requested, the NMB will provide the parties with panels of potential arbitrators from which they select an individual to resolve their dispute. However, in most instances, the parties agree to allow the NMB to directly appoint an arbitrator. Interest Arbitration decisions are final and binding with very narrow grounds for judicial appeal.

ARBITRATION HIGHLIGHTS

The Office of Arbitration Services directed its attention to promoting a more efficient Section 3 process, thereby fostering faster resolution of minor disputes (grievances). The NMB made a well-received move in this regard during FY 2015 by targeting the backlog of grievance arbitration cases for resolution and increasing the number of arbitrators available to hear and decide cases and introducing more technology to the administrative processing of cases with its arbitrators. The estimated 6,247 cases pending at the end of FY 2015 is 1,114 more than cases pending at the end of FY 2014. The increase is attributed to the concluded national round of bargaining among the Class I freight railroads which has caused the filing of more grievances concerning the applicability of certain provisions of the agreement.

The NMB Arbitration program continued its efforts to modernize the processing of minor disputes. The agency improved its already successful program of using the NMB website as a source for many of the forms and documents needed by arbitrators and the parties with the improvement of the Arbitrators' Caseload Report and the introduction of the new Waiting List Report on the NMB website.

During FY 2015, the NMB revised the Arbitrators Workspace, which has been in operation for several years. The Arbitrators Workspace is a web based information system which gives arbitrators online access to their case information. This system is used by the arbitrators to request work and submit requests for compensation for work. The Arbitrators Workspace replaced numerous hard-copy forms.

The revised Arbitrators' Workspace now closes cases quicker and shortens the time for the adding of cases. The level of grievance activity handled through the NMB Arbitration program maintained the same level when compared to the activity in FY 2014. During FY 2015, the parties brought an estimated 3,816 cases to arbitration compared to 4,313 cases in FY 2014. In FY 2015, an estimated 2,702 cases were closed compared to 2,946 in FY 2014, leaving 6,247 cases pending at the end of FY 2015.

On several occasions during the fiscal year, the Agency met with representatives from the labor organizations and carriers to review its caseload. Carriers included Canadian National Railroad, Norfolk Southern Corporation, Union Pacific Railroad, Burlington Northern Santa Fe, Kansas City Southern Railway, and CSX Transportation. The NMB also met with carriers engaged in the transportation of passengers such as Amtrak, Metro North Railroad, SEPTA, New Jersey Transit, and Metra. The Office of Arbitration Services met with all of the labor organizations representing employees in the railroad industry. NMB efforts have been directed to facilitating a more efficient Section 3 process under the RLA, thereby reducing the backlog and furthering the RLA objective of prompt resolution of minor disputes.

The NMB continued its efforts designed to improve the arbitration of grievances under Section III of the Railway Labor Act. The Board had five ambitious goals for this transformation: (1) to ensure that the parties receive timely and outstanding arbitration services from the Board's staff and its contract arbitrators; (2) to ensure that the Board uses e-business capabilities to the maximum extent possible; (3) to ensure that Board procedures are improved through a process involving public input; (4) to ensure that arbitrators schedule, hear, and decide cases in a timely manner; and (5) to ensure that NMB resources are used wisely and in accordance with Federal regulations and sound accounting practices.

Annual Case Audit

In June 2015, the NMB conducted an intensive audit of all pending cases before Public Law boards and Special Boards of Adjustment. The Agency provided the Class-I freight railroads, commuter railroads, regional railroads and all labor organizations representing railroad employees with a list of cases pending on these boards. The feedback from the audit enhanced the accuracy of the NMB case management system.

Alternative Dispute Resolution In The Railroad Industry

The NMB actively promoted grievance mediation as an alternative means of dealing with grievances in the railroad industry by reaching out to the largest Class-I freight carriers and labor organizations. During FY 2015, Arbitration Services made presentations at a meeting of Class-I freight railroads and labor organizations. The NMB anticipates continuing this initiative during FY 2016. The NMB had several grievance mediation cases with carriers in the railroad industry during 2015.

Arbitrator Productivity

The NMB continued its efforts to increase arbitrator productivity as a result of strict adherence to the three month rule. Arbitrators who have not issued a decision within three months of a hearing are contacted monthly and encouraged to issue those decisions.

The Agency improved its already successful program of using the NMB website as a source for many of the forms and documents needed by arbitrators and the parties. The NMB used the website to keep the parties and the public informed regarding Section III activities. Arbitrators, parties, and the public use the website to obtain information and forms instantaneously. In FY 2015, the agency posted an improved Arbitrators Caseload Report on the NMB website. The report shows by arbitrator, grievance cases of railroad employees the parties have chosen to pursue. It also indicates whether a case is late (i.e., a decision has not been rendered within 3 months of when a case was heard by the arbitrator). The Arbitrator Caseload Report is real-time in that it has a direct link to an NMB database reflecting updates as they are made by Arbitration Services staff. The availability of information on the website reduces the staff time which ordinarily would be required to respond to questions and requests. The NMB has also placed an NMB National Railroad Adjustment Board Open Case Report on the website. This report lists all of the open cases at the NRAB. With this report and the Arbitrators Caseload Report, the NMB's entire Section 3 caseload is on the NMB website (www.nmb.gov).

**ARBITRATION
HIGHLIGHTS
CONTINUED**

Conversion To A Pay-Per-Case Compensation

During this fiscal year the NMB changed its compensation and began paying the arbitrators on a per-case basis, instead of the normal per-day compensation.

Knowledge Store

The NMB further expanded its use of technology at the NRAB. All NRAB awards are entered into the Knowledge Store at the same time that they are distributed to the parties. Parties have been trained to enter awards into the Knowledge Store. In some instances, valid awards are entered within 24 hours of completion.

Arbitration Info Series

During FY 2015, the Office of Arbitration Services commenced a new info series on Arbitration and Section 3 topics. Using the NMB's Lyceum, the NMB posted several information film segments on various topics and issues in arbitration under the Railway Labor Act.

In August, the NMB created an information segment entitled "Hearing Expectations of Arbitrators" using several well-known railroad arbitrators. The NMB also created an information segment titled "How Arbitrators are Selected by the Parties" using several rail management and labor officials. The NMB conducted a survey to determine future topics for segments which will be filmed in FY 2016.

ARBITRATION* CASES

START PENDING



NEW



SUM



CLOSED



END-PENDING



*The Office of Arbitration Services conducted an audit in Fiscal Year 2015. The audit revealed an error in the old system which resulted in incorrect case numbers

REPRESENTATION & PRESIDENTIAL EMERGENCY BOARDS

29 Representation

33 Presidential Emergency Boards



REPRESENTATION CASES

START PENDING



NEW



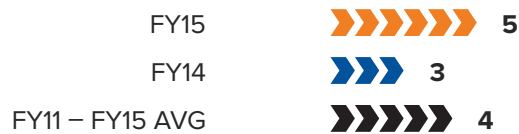
SUM



CLOSED



END-PENDING



REPRESENTATION OVERVIEW

Under the Railway Labor Act (RLA), employees in the airline and railroad industries have the right to select a labor organization or individual to represent them for collective bargaining. Employees may also decline representation. An RLA representational unit is a “craft or class,” which consists of the overall grouping of employees performing particular types of related duties and functions.

The selection of a collective bargaining representative is accomplished on a system-wide basis, which includes all employees in the craft or class anywhere the carrier operates in the United States. Due to this requirement and the employment patterns in the airline and railroad industries, the Agency's representation cases frequently involve numerous operating stations across the nation. [An application for a representation investigation may be obtained from the Agency's website at www.nmb.gov.] If a showing-of-interest requirement is met, the NMB continues the investigation, usually with a secret telephone/internet election. Only employees found to be eligible to vote by the NMB are permitted to participate in elections. The NMB is responsible for determining RLA jurisdiction, carrier status in mergers, and for ensuring that the requirements for a fair election process have been maintained without “interference, influence or coercion.” If the employees vote to be represented, the NMB issues a certification of that result which commences the carrier's statutory duty to bargain with the certified representative. In many instances, labor and management raise substantial issues relating to the composition of the electorate, jurisdictional challenges, allegations of election interference, and other complex matters which require careful investigations and ruling by the NMB.

REPRESENTATION HIGHLIGHTS

The NMB Office of Legal Affairs (OLA) continues to operate at a high level of quality and efficiency. As a review of customer service and performance standards will attest, the Agency's Representation program consistently achieves its performance goals, delivering outstanding services to the parties and the public.

The OLA staff closed 29 cases and also docketed 31 cases during the year. With the Agency resources requested for 2016, it is estimated that 40 representation cases will be investigated and resolved in the next fiscal year.

Case Summaries

Representation disputes involving large numbers of employees generally are more publicly visible than cases involving a small number of employees. However, all cases require and receive neutral and professional investigations by the Agency. The NMB ensures that the employees' choices regarding representation are made without interference, influence or coercion. The case summaries that follow are examples of the varied representation matters which were investigated and resolved by the NMB during FY 2015.

American Airlines/US Airways

On January 10, 2014, pursuant to the NMB's Merger Procedures and NMB Representation Manual Section 19.3, American Airlines notified the NMB that “on December 9, 2013, American Airlines Group, Inc., (formerly known as AMR Corporation) and US Airways Group, Inc., implemented a merger agreement dated February 13, 2013, resulting in the former's acquisition of the latter, including its wholly owned subsidiary US Airways, Inc.” Subsequently, in FY 2015, the NMB investigated American Airlines (American) and US Airways (collectively the New American) to determine whether they were operating as a single transportation system for representation purposes under the RLA regarding the crafts or classes of Mechanics and Related Employees, Fleet Service Employees, Stock & Stores Employees, Simulator Technicians, Instructors and Dispatchers.

Simulator Technicians, Instructors, and Flight Dispatchers

On July 24, 2014, the National Association of Airlines Professionals (NAAP) filed applications seeking to represent employees in the crafts or classes of Simulator Technicians, Instructors, and Flight Dispatchers. Employees in the three crafts or classes covered by the application were represented by the Transport Workers Union of America, AFL-CIO at both American and US Airways. Subsequently, on January 12, 2015, TWU also filed applications alleging a representation dispute involving the crafts or classes of Simulator Technicians, Instructors and Dispatchers at the New American. The Board consolidated TWU's applications with NAAP's.

Based on the applications of its single carrier criteria to the facts disclosed by the investigation, the Board determined that there was substantial integration of operations, financial control, and labor and personnel functions and that American and US Airways are a single transportation system. *American Airlines, Inc./US Airways, Inc.*, 42 NMB 80, 99 (April 15, 2015). Having determined that a single transportation system existed, the Board proceeded to examine the potential representation consequences.

With regard to craft or class issues, the Simulator Engineers at US Airways were a separate craft or class at pre-merger US Airways and represented by TWU pursuant to a certification in NMB Case No. R5916. *USAir, Inc.*, 17 NMB 57 (1989). In contrast, the Simulator Technicians at pre-merger American were represented by TWU as part of the Mechanics and Related craft or class pursuant to NMB Case No. R-6872. *American Airlines, Inc./Trans World Airlines, LLC*, 29 NMB 240 (2002). For the reasons discussed more fully below, the Board found that Simulator Technicians at the New American are appropriately part of the Mechanics and Related craft or class and dismissed the applications for a separate craft or class of Simulator Technicians at the New American.

The NMB also conducted an on-site investigation to determine whether NAAP's authorization cards were tainted by the contemporaneous distribution of \$500 gift cards and cashier's checks. The Board majority found that the close timing between the distribution of the \$500 gift cards/cashier's checks and the collection of the authorization cards tainted the laboratory conditions. Noting that TWU was the certified representative of Instructors and Flight Dispatchers at both pre-merger American and US Airways and the extraordinary circumstances in this case, the Board extended TWU's certifications to cover those employee groups at the New American.

Member Geale dissented from the finding. In his view, the majority's decision inappropriately limits the freedom of association rights of the employees by subjecting them to union representation when it was clear they were unhappy with the current representative. He further disagreed with the majority determining for the first time that a union could interfere with an election through providing a benefit in the context of an organizing campaign without first providing notice of the applicable rules.

Mechanics and Related, Fleet Service and Stock & Stores Employees

On August 6, 2014, TWU and the International Association of Machinists and Aerospace Workers (IAM) jointly filed applications covering approximately 33,000 employees in the Mechanics and Related, Fleet Service and Stock & Stores Employee crafts or classes. Prior to filing these applications, TWU and IAM formed the TWU/IAM Mechanics Association, the TWU/IAM Fleet Association, and the TWU/IAM Stores Association for the purposes of representing these crafts or classes on the merged system. TWU represents the three craft or classes at American and IAM is the representative of the three crafts or classes at US Airways. Based on the applications of its single carrier criteria to the facts disclosed by the investigation, the Board determined that there was substantial integration of operations, financial control, and labor and personnel functions and that American and US Airways are a single transportation system for representation purposes. *American Airlines, Inc./US Airways, Inc.*, 42 NMB 35 (April 15, 2014). Having determined that a single transportation system exists, the Board proceeded to examine the potential representation consequences. The Board determined that Simulator Technicians should be a part of the Mechanics and Related Employees craft or class based on the current circumstances at the New American and the historical representation pattern at pre-merger American. To do otherwise, in the view of the Board's majority would unnecessarily fragment a craft or class with a long and stable collective bargaining history and lead to the instability the Act seeks to prevent.

Member Geale dissented from Board's finding with regard to Simulator Technicians, stating that this determination was a departure from recent Board precedent and overrides the free association rights of the employees.

In *American Airlines, Inc./US Airways, Inc.*, 42 NMB 127 (May 19, 2015), the Board extended the certifications of TWU and IAM as the representatives of the crafts or classes of Mechanics and Related, Fleet Service and Stock and Stores Employees at pre-merger American and US Airways to cover the merged crafts or classes at the New American with the respective TWU/IAM Associations as the certified representative. The Board found that the TWU/IAM Associations were formed by the certified representatives of Mechanics and Related Employees, Fleet Service Employees, and Stock and Stores Employees crafts or classes at the pre-merger carriers and the purpose of the TWU/Associations is to represent the employees in the respective crafts or classes to collectively bargain under the RLA at the New American. Thus the Associations clearly fall within the definition of representative under the Act and represent 100% of the three crafts or classes.

REPRESENTATION HIGHLIGHTS

Jurisdictional Opinions

The NMB also received 4 jurisdictional referrals from the National Labor Relations Board (NLRB). In view of the National Labor Relations Act (NLRA) specific exemption of employers covered by the RLA, the NLRB follows a longstanding practice of referring cases to the NMB in instances where the jurisdictional issue is raised. In these cases, the NMB reviews the record provided by the NLRB and provides an opinion letter regarding whether the employer in question is, in the NMB's opinion, covered by the RLA.

In *Menzies Aviation, Inc.*, 42 NMB 1 (October 16, 2014), the NLRB requested the NMB's opinion regarding whether Menzies' operations and employees at Seattle-Tacoma International Airport (SeaTac) are subject to the RLA. The NMB applied its two-part jurisdictional test recently reaffirmed in *Airway Cleaners*, 41 NMB 262 (2014). Under that test, the NMB determines whether the nature of the work is that traditionally performed by employees of rail or air carriers. Second, the NMB determines whether the employer is directly or indirectly owned or controlled by, or under common control with, a carrier or carriers. Both parts of the test must be satisfied for the NMB to assert jurisdiction.

The employees at issue performed baggage, ramp, and aircraft servicing functions under Menzies' contract with Alaska Airlines (Alaska). The contract between Menzies and Alaska specified standards such as a 20-minute time limit for unloading baggage and allowed Alaska auditors to inspect Menzies employees' work and identify deficiencies for Menzies to correct. Although the NMB found that the ground services work performed by Menzies under its contracts at SeaTac is work traditionally performed by employees of air carriers, the Board found that the extent to which Alaska controlled the manner in which Menzies conducts its business is no greater than that found in a typical subcontractor relationship. Alaska may report performance problems but Menzies determines the appropriate discipline following its own discipline process. In addition, Menzies is not required to terminate employees who are unacceptable to Alaska. The Board found that Menzies retains and exercises the option to utilize such employees elsewhere at SeaTac. The Board also noted that while it has in the past found jurisdiction over Menzies' operation at other locations, its jurisdictional decision are rendered on a case-by-case basis and, based on the record in this case, the required meaningful control over personnel decisions by an air carrier was not present.

For institutional reasons, Chairman Hoglander agreed that the two-part test was correctly applied and that there was no RLA jurisdiction. Member Geale dissented. In his view, RLA jurisdiction is established by the contract language and the evidence that Alaska provides training for Menzies employees, audits their performance and removes unacceptable employees from its contracts. He also noted that the decision to decline jurisdiction threatens to substantially undermine the purpose of the RLA in limiting disruptions to interstate travel and commerce.

The Board also addressed RLA jurisdiction in a case that was not a referral from the NLRB. In *Gateway Frontline Services*, 42 NMB 146 (June 4, 2015), the Board found RLA jurisdiction based on the two-part test but dismissed that application because the applicant organization did not meet the showing of interest requirement for the system-wide craft or class of Passenger Service Employees. Gateway Employee Alliance (Alliance) alleged a representation dispute among the "Passenger Assistant and Dispatcher" employees of Gateway Frontline Services (Gateway) at McCarran International Airport (McCarran) in Las Vegas.

Gateway provides security and frontline services to airlines such as flight dispatching, baggage handling, wheelchair services and skycap services at 11 US airports, including McCarran. At McCarran, Gateway provides these services to Southwest and Delta. The Board found that the work performed by Gateway under its contracts with Southwest and Delta at McCarran is work traditionally performed by employees of air carriers. In contrast to Menzies, discussed above, the Board further found that Southwest and Delta exercise a sufficient amount of control to support RLA jurisdiction. The Board noted that Gateway has not only terminated employees but also hired and promoted specific individuals upon request of the carriers. Gateway also did not independently determine the appropriate discipline for its employees, acquiescing instead to the carriers' discipline requests. The Board found this acquiescence occurred even when Gateway managers recommended less severe discipline. The Board also noted that Gateway is required to forward all passenger complaints to the carriers for handling through the carriers' complaint resolution departments. Chairman Hoglander again concurred in the jurisdictional finding for institutional reasons.

Having found RLA jurisdiction, the Board reiterated its long-standing policy that the RLA's required system-wide representation is only achieved when a craft or class includes all eligible employees, regardless of their work locations. Accordingly the Board found that Gateway's McCarran operations do not constitute a separate system for representation purposes in view of its centralized labor relations and administrative functions. In addition, Gateway uses one employee handbook for all employees outside of California and it has uniform standards for hiring and recruiting nationwide.

**PRESIDENTIAL
EMERGENCY
BOARDS (PEBS)
OVERVIEW**

Section 159A (Section 9A) of the Railway Labor Act (RLA) provides special, multi-step emergency procedures for unresolved collective-bargaining disputes affecting employees on publicly funded and operated commuter railroads. Section 160 (Section 10) of the RLA covers all other railroads and airlines.

When the National Mediation Board determines that a collective-bargaining dispute cannot be resolved in mediation, the agency proffers Interest Arbitration to the parties. Either labor or management may refuse the proffer and, after a 30-day cooling-off period, engage in a strike, implement new contract terms, or engage in other types of economic self-help, unless a Presidential Emergency Board (PEB) is established.

If the NMB determines, pursuant to Section 160 of the RLA, that a dispute threatens substantially to interrupt interstate commerce to a degree that will deprive any section of the country of essential transportation service, the NMB notifies the President. The President may, at his discretion, establish a PEB to investigate and report upon such dispute. Status-quo conditions must be maintained throughout the period that the PEB is impaneled and for 30 days following the PEB report to the President. If no agreement is reached, and there is no intervention by Congress, the parties are free to engage in self-help 30 days after the PEB reports to the President.

Apart from the emergency board procedures provided by Section 160 of the RLA, Section 9a provides special, multi-step emergency procedures for unresolved disputes affecting employees on publicly funded and operated commuter railroads. If the Mediation procedures are exhausted, the parties to the dispute or the Governor of any state where the railroad operates may request that the President establish a PEB. The President is required to establish such a board if requested. If no settlement is reached within 60 days following the creation of the PEB, the NMB is required to conduct a public hearing on the dispute. If there is no settlement within 120 days after the creation of the PEB, any party or the Governor of any affected state, may request a second, final-offer PEB. No self-help is permitted pending the exhaustion of these emergency procedures.

A chart reflecting the actual case numbers for FY 2014, FY 2015 and the five-year average, FY 2011-2015 follows:

	FY 2014 Actual	FY 2015 Actual	FY 2011-FY 2015 Five Year Average
Emergency Board Sec. 160	0	0	.4
Emergency Board Sec. 159A	0	2	1

PEB HIGHLIGHTS

Two PEBs were established during fiscal year 2015. These PEBs involved the special, multi-step emergency procedures for unresolved collective-bargaining disputes affecting employees on publicly funded and operated commuter railroads. PEB 247 was established under Section 9(A) to resolve a dispute between the Southeastern Pennsylvania Transportation Authority (SEPTA) and certain of its employees. PEB 248 was established under Section 9(A) to resolve a dispute between the New Jersey Transit Rail (NJT) and certain of its employees.

Presidential Emergency Board 247

On June 14, 2014, the President created PEB 246, effective June 15, 2014, to investigate and issue a report and recommendations regarding the dispute between the SEPTA and certain of its employees represented by the International Brotherhood of Electrical Workers (IBEW) and the Brotherhood of Locomotive Engineers and Trainmen (BLET). On July 14, 2014, PEB 246 issued its Report and Recommendations to the President.

When the recommendations of PEB 246 did not result in a prompt resolution of the disputes, the NMB conducted a public hearing on August 4, 2014, at which the Organizations and SEPTA discussed their reasons for not accepting the recommendations of PEB 246. Subsequent to the public hearing, SEPTA and IBEW reached an agreement of their dispute. The dispute between SEPTA and BLET remained unresolved.

On October 7, 2014, SEPTA requested that President Obama create a second Emergency Board pursuant to Section 9A(E) of the RLA regarding its dispute with the BLET. Thereafter, on October 10, 2014, the President issued an Executive Order establishing, effective 12:01 a.m., October 13, 2014, Presidential Emergency Board 247 to recommend adoption of a final offer from those submitted by SEPTA and BLET. The President appointed Elizabeth C. Wesman, as Chairman of the Board, and Barbara C. Deinhardt and David P. Twomey, as Members.

On October 22, 2014, BLET's members and SEPTA's Board of Directors ratified a tentative agreement. On November 6, 2014, the Board submitted its report to the President, reporting that the parties' agreement had been ratified and the dispute had been resolved.

Presidential Emergency Board 248

In April 2011, pursuant to Section 6 of the RLA, the Organizations¹ served on the NJT formal notices for changes in current rates of pay, rules, and working conditions. The parties were unable to resolve the issues in dispute in direct negotiations. Applications for mediation were filed with the NMB by IBEW, on behalf of Electrical Workers, and TCU/IAM in March 2014; by BLET in June 2014; by SMART – Transportation Division (UTU) in July 2014; by IAM, BRS, and NCFO in November 2014; by SMART and ATDA in December 2014; by IBEW, on behalf of Supervisors, and BMWED in January 2015; and by IBB and TWU in February 2015.

Following the applications for mediation, representatives of all parties worked with the NMB mediators and with Board Members of the NMB in an effort to reach agreements. Various proposals for settlement were discussed, considered, and rejected. On June 9 and 10, 2015, the NMB, in accordance with Section 5, first, of the RLA, urged the LIRR and the Organizations to enter into agreements to submit their collective bargaining disputes to arbitration as provided in Section 8 of the RLA ("proffer of arbitration"). The proffer of arbitration specified that failure to respond by June 12, 2015 would be considered a rejection of the proffer. On June 11, 2015, NJT accepted the NMB's proffer of arbitration, only in the event that every Organization also accepted the proffer. On June 12, 2015, TCU/IAM and BLET declined the NMB's proffer of arbitration. None of the other Organizations responded to the proffer.

1. The New Jersey Transit Rail Labor Coalition ("the Coalition") represents all 4,220 unionized rail employees at NJT. The Coalition consists of the following organizations: International Brotherhood of Electrical Workers ("IBEW"), representing Electrical Workers and Supervisors; Transportation Communications International Union/IAM ("TCU/IAM"), representing Supervisors, Clericals, and Carmen; Brotherhood of Locomotive Engineers & Trainmen ("BLET"), representing Locomotive Engineers, Assistant Engineers, and Engineer Trainees; International Association of Sheet Metal, Air, Rail and Transportation Workers – Transportation Division (UTU) ("SMART" or "UTU"), representing Yardmasters and Conductors/Trainmen; International Association of Machinists & Aerospace Workers ("IAM"), representing Machinists; Brotherhood of Railroad Signalmen ("BRS"), representing Signalmen; National Conference of Firemen & Oilers, SEIU ("NCFO"), representing Laborers; International Association of Sheet Metal, Air, Rail and Transportation Workers ("SMART"), representing Railroad, Sheet Metal, Mechanical & Engineering Workers; American Train Dispatchers Association ("ATDA"), representing Train Dispatchers; Brotherhood of Maintenance of Way Employees Division ("BMWED"), representing Maintenance of Way Employees; International Brotherhood of Boilermakers ("IBB"), representing Boilermaker Welders; and Transport Workers Union of America ("TWU"), representing Carmen and Coach Cleaners. Although each of the separate bargaining units commenced negotiations with NJT on an individual basis, they subsequently joined together as a formal Coalition to bargain collectively with NJT.

On June 15, 2015, the NMB served notices that statutory mediation had been terminated under the provisions of Section 5, First, of the RLA. Accordingly, self-help became available at 12:01 a.m., on Thursday, July 16, 2015.

Section 9A(C)(1) of the RLA, in setting forth special procedures for commuter service, provides that any party to a dispute that is not adjusted under the other procedures of the RLA, or Governor of the State through which the service that is subject to dispute is operated, may request the President to establish an Emergency Board. On June 30, 2015, in accordance with Section 9A of the RLA, the Coalition², on behalf of all the Organizations, requested that the President establish an Emergency Board to investigate and issue a report and recommendations regarding the dispute. On July 9, 2015, NJT also requested that the President establish an Emergency Board to investigate and issue a report and recommendations regarding the dispute. Thereafter, on July 15, 2015, the President issued an Executive Order. Effective 12:01a.m, July 16, 2015, the Executive Order created Presidential Emergency Board 248 to investigate and report concerning the dispute between the NJT and certain of its employees represented by the Organizations. The President appointed Elizabeth C. Wesman, as Chairman of the Board, and Barbara C. Deinhardt and Ann S. Kenis as Members. The Board submitted its Report to the President on August 14, 2015.

Forecast for FY 2016, FY 2017, and Beyond

The NMB cannot predict precisely the number of PEBs that may be created during a given fiscal year. Estimates are based, among other factors, upon prior experience and knowledge of the contentiousness of the parties in the bargaining process and mediation, the number of cases, and the degree of impact of any dispute. For example, activity leading up to a release and the creation of a PEB for the LIRR and multiple unions occurred in FY 2013, but the PEB was established in FY 2014. A second PEB was also established for the LIRR in FY 2014 under the special commuter rail provisions of Section 9(A). In addition, a PEB was also established for SEPTA under Section 9(A). The second SEPTA PEB (PEB 247) was convened by President Obama on October 10, 2014 (FY 2015).

2. On June 30, 2015, TCU filed an individual request for the establishment of an Emergency Board.

RAILROAD GRIEVANCE ARBITRATION

- 37 NRAB Members and Referees
- 38 Section 3 Tribunals
- 40 Online Arbitration Reports



**NATIONAL
RAILROAD
ADJUSTMENT
BOARD
MEMBERS**

NRAB

Michael C. Lesnik – NRLC, Board Chairman

Marcus J. Ruef - BLET, Board Vice Chairman

**FIRST
DIVISION**

Matthew R. Holt
NRLC, Chairman

David B. Wier
UTU, Vice
Chairman

Matthew R. Holt
NRLC, Vice
Chairman

Cathy K. Cortez, CN
Douglas W. Davidson, BLET
Stephanie K. Deiger, SEPTA
Jeremy Ferguson, UTU
Michael D. Phillips, UP
Marcus J. Ruef, BLET

**SECOND
DIVISION**

William T. Bohné
IBEW, Vice
Chairman

H. Glen Williams
NRLC, Chairman

Erica Beck, NOPB
Charles J. Fraley, SMART
Donald E. Grissom, BRC
Brant Hanquist, UP
Tim Martin Hort, METRA
John Lacey, IAMAW
Anthony Mosso, DM&E
John Thacker, F&O

**THIRD
DIVISION**

Michael C. Lesnik
NRLC, Chairman

Kevin Evanski
BMWED-IBT, Vice
Chairman

Donald Boyd, HERE
John Bragg, BRS
Danielle Gauthier, METRA
Mary C. Gunn, TCIU
Sharon Jindal, AMTRAK
Katherine N. Novak, UP
Brad Ragland, TRRA
David W. Volz, ATDA

**FOURTH
DIVISION**

Jeffrey F. Rodgers
NRLC, Chairman

Allison Parker
ARASA, Chairman

Gary L. Hart, BMWED, IBT
Anthony Lomanto, PANAM
Doyle K. Turner, SMART
Brittany Waters, METRA

**NRAB
REFEREES**

**FIRST
DIVISION**

Edwin H. Benn
Steven M. Bierig
Michael Capone
James M. Darby
Lisa Kohn
George E. Larney
Martin Scheineman
Randy B. Weiss
Elizabeth C. Wesman
Marty Zusman

**SECOND
DIVISION**

**THIRD
DIVISION**

Edwin H. Benn
Patricia Bittel
Michael Capone
Patrick Halter
I. B. Helburn
Dr. Lou Imundo
Andria S. Knapp
Roger K. MacDougall
Sidney Moreland
Margo Newman
Elizabeth C. Wesman
Burton D. White
Jaclyn Zimmerman

**FOURTH
DIVISION**

**SECTION 3
TRIBUNALS
ESTABLISHED
FY 2015**

TYPE	No. of Boards
Public Law	52
Special Boards of Adjustment	3
Arbitration Board	0
TOTAL	55

**1.
PUBLIC LAW
BOARDS,
SPECIAL
BOARDS OF
ADJUSTMENT
& ARBITRATION
BOARDS**

1A. CARRIERS

Alabama State Docks
 Belt Railway Company of Chicago
 Burlington Northern Santa Fe Railway Company
 Canadian National Railway Company
 Canadian Pacific Railway Company
 Canton Railroad Company
 Consolidated Rail Corporation
 CSX Intermodal Terminal
 CSX Transportation, Inc.
 Delaware and Hudson
 Delray Connecting Railroad
 Florida East Coast Railway
 Fruit Growers Express
 Gary Railway Company
 Grand Trunk Western Railroad
 Keolis Commuter
 Kiamichi Railroad Company
 Illinois Central Railroad
 Indiana Harbor Belt Railroad
 Iowa Interstate Railroad
 Kansas City Southern Railroad
 Lake Superior and Ishpeming Railroad
 Long Island Rail Road
 Massachusetts Bay Commuter Railroad
 Metro North Commuter Rail
 National Railroad Passenger Corporation (AMTRAK)
 New England Central Railroad
 New Jersey Transit Authority
 Norfolk Southern Corporation
 Northeast Illinois Regional Commuter Railroad
 Pacific Habor Railroad
 Paducah & Louisville Railroad
 Pan Am Railway
 Port Authority Trans Hudson of NY & NJ
 Soo Line Railroad Company
 South Buffalo Railway
 Southeastern Pennsylvania Transportation Authority
 South Kansas & Oklahoma
 Springfield Terminal Railway
 Terminal Railroad Alabama State Dock
 Terminal Railroad Association of St. Louis
 Union Pacific Railroad Company
 Wisconsin Central Ltd.

1B. UNIONS

American Train Dispatchers Association
Amtrak Service Workers Council
Association of Commuter Rail Employees
Brotherhood of Locomotive Engineers & Trainmen-IBT
Brotherhood of Maintenance of Way Employees-IBT
Brotherhood of Railroad Signalmen
Illinois Central Train Dispatchers Association
Independent Railway Supervisors Association
International Association of Machinists & Aerospace Workers
International Association of Teamsters
International Brotherhood of Blacksmiths & Boilermakers
International Brotherhood of Electrical Workers
International Longshoremens' Association
International Railway Supervisors Association
Joint Council of Carmen, Helpers, Coach Cleaners & Apprentices
Metropolitan Alliance of Police
National Conference of Firemen and Oilers, SEIU
Railway Independent Transit Union
SMART-Sheet Metal, Air, Rail & Transportation
SMART-Transportation Division
Transportation Communications Union/IAM
Transport Workers Union of America
United Steelworkers of America

1C. Arbitrators (Public Law Board, Special Board of Adjustment or Arbitration Board)

David Bass	Michele Hoyman	Lynette A. Ross
Edwin Benn	Louis Imundo	Martin Scheinman
Steven Bierig	Jeffrey Jacobs	Barry E. Simon
John R. Binau	Jared Kasher	Andrew Strongin
Patricia Bittel	Ann S. Kenis	David Twomey
Ezio Borchini	Andria Knapp	M. David Vaughn
Daniel Brent	Lisa S. Kohn	Gerald E. Wallin
Steven Budzina	Mitchell Kraus	Lamont Walton
Robert Camp	Colman Lalka	Ruth Weatherly
Dennis Campagna	Paul Lamboley	Randy Weiss
Michael Capone	George Larney	Elizabeth C. Wesman
Joseph Cassidy	John LaRocco	Burton White
Brian Clauss	Charles Loughran	Betty Widgeon
James E. Conway	Harry MacLean	Marc Winter
James Darby	Roger MacDougall	Bradley Winters
Rodney Dennis	Shelia Mayberry	Charles Wise
Francis J. Domzalski	Andree McKissick	Jeanne Wood
John Easley	Peter R. Meyers	Carol Zamperini
Lewis L. Ellsworth	Clinton Miller	Barbara Zausner
Joseph Fagnani	William Miller	Jacalyn Zimmerman
Matthew Frankiewicz	Sidney Moreland	Marty E. Zusman
George Fitzsimmons	Margo Newman	
Gayle Gavin	Daniel Nielsen	
Carmino Gianino	Kenneth O'Brien	
Thomas Gibbons	Robert M. O'Brien	
Charlotte Gold	Joan Parker	
Robert Grey	Robert Perkovich	
Patrick Halter	Robert E. Peterson	
Don Hampton	Richard H. Radek	
Richard Hanft	David Ray	
Don Hays	Robert Richter	
I B. Helburn	Thomas N. Rinaldo	
Ronald Hoh	Sean Rogers	

2. LABOR PROTECTIVE PROVISIONS

NEW YORK DOCK

Soo Line Railroad & Dakota, Minnesota & Eastern Railroad Corporation and American Train Dispatchers Association

Arbitrator: David Vaughn

NEW YORK DOCK

Soo Line Railroad & Dakota, Minnesota & Eastern Railroad Corporation and SMART-Transportation Division

Arbitrator: Thomas Rinaldo

3. UNION SHOPS

N/A

4. SYSTEM BOARDS OF ADJUSTMENT

N/A

5. ONLINE ARBITRATION REPORTS

The following online reports are “real time”; they are updated online as the NMB updates the underlying Case Tracking System. These reports are available on the Arbitration webpage at: <http://awsreport.nmbarbitration.appspot.com/static/open.html>

NRAB OPEN CASE REPORT

The NRAB Open Case Report shows all of the cases that are currently open for the NRAB. Shown in this report are the Arbitrator (if assigned), the parties, the date the case was opened, the date the case was deadlocked, and the date the case was heard.

ARBITRATORS CASELOAD REPORT

This report lists by Arbitrator all of the open cases to which each Arbitrator is assigned. The report shows the parties involved, the date the case was opened, and the date the case was heard. Cases that have not been closed within 3 months of the hearing date are deemed late and this is also shown in the report.

SUPPORTING REPORTS & TABLES

- 42 Case Table
- 47 Case Record



**CASE
RECORDS**

**TABLE 1:
CASES RECEIVED
& CLOSED**

	FY 2015	FY 2014	FY 2013	FY 2012	FY 2011	AVG 11-15
MEDIATION						
Start-pending	90*	100	98	91	84	92.6
New	36	44	38	53	48	43.8
Sum	126	144	136	144	132	136.4
Closed	45	55	36	46	41	44.6
End-pending	81	89	100	98	91	91.8
ADR						
Start-pending	33*	30	26	23	22	26.8
New	75	70	40	32	46	52.6
Sum	108	100	66	55	68	79.4
Closed	73	58	36	29	45	48.2
End-pending	35	42	30	26	23	31.2
REPRESENTATION						
Start Pending	3	1	2	9	8	4.6
New	31	39	34	41	40	37
Sum	34	40	36	50	48	41.6
Closed	29	37	35	48	39	37.6
End-Pending	5	3	1	2	9	4
ARBITRATION*						
Start-pending	5133	3577	2084	2384	2770	3189.6
New	3816	4313	6576	3569	3908	4436.4
Sum	8949	7890	8660	5953	6678	7626
Closed	2702	2946	4332	3869	4294	3628.6
End-pending	6247	4944	4328	2084	2384	3997.4

*The Mediation Department completed a changeover from a manual to an automated case management system in Fiscal Year 2015. After the changeover was complete, the audit revealed an error in the old system which resulted in incorrect case numbers

*The Office of Arbitration Services conducted an audit in Fiscal Year 2015. The audit revealed an error in the old system which resulted in incorrect case numbers

**TABLE 2:
REPRESENTATION
CASE
DISPOSITION**

	NUMBER OF CASES	NUMBER OF CRAFTS OR CLASSES	NUMBER OF EMPLOYEES INVOLVED	NUMBER OF EMPLOYEES PARTICIPATING
RAILROADS				
Certifications	4	2	62	58
Dismissals	3	3	41	32
TOTALS	7	5	103	90
AIRLINES				
Certifications	12	8	32,658	31,805
Dismissals	10	8	57,158	50,839
TOTALS	22	16	89,816	82,644
TOTALS –				
Railroads and Airlines	29	21	89,919	82,734

**TABLE 3:
REPRESENTATION
& MEDIATION
CASES CLOSED**

	TOTAL CASES	REPRESENTATION CASES	MEDIATION CASES
RAILROADS			
Agents, Telegraphers and Towermen		0	
Boilermakers and Blacksmiths		0	
Brakemen and Conductors		0	
Carmen		0	
Clerical Office, Station and Storehouse Employees		0	
Conductors		0	
Dining Car Employees, Train and Pullman Porters		0	
Electrical Workers		0	
Engineers		0	
Engineers and Related Employees		0	
Firemen and Oilers		0	
Locomotive Engineers		0	
Locomotive Firemen and Hostlers		0	
Locomotive Maintenance Employees		0	
Longshoremen		0	
Machinists		0	
Maintenance of Way Employees		4	
Marine Service Employees.		0	
Mechanical Department Foremen and/or Supervisor of Mechanics		0	
Operating and Non-Operating Employees		2	
Police Officers Below the Rank of Captain		0	
Power Directors (Supervisors)		0	
Railroad Freight Loaders and Handlers		0	
Sheet Metal Workers		0	
Signalmen		0	
Subordinate Officials in the Maintenance of Way Dept		0	
Subordinate Officials in the Maintenance of Equipment Department		0	
Subordinate Officials in the Maintenance of Way and Structures Department (B & B)		0	
Technical Engineers, Architects, Draftsmen and Allied Workers		0	
Train Dispatchers		0	

	TOTAL CASES	REPRESENTATION CASES	MEDIATION CASES
RAILROADS (CONTINUED)			
Train and Engine Service Employees		1	
Train, Engine and Yard Service Employees		0	
Transportation Operations Employees		0	
Yardmasters		0	
Combined Groups, Railroad		0	
Miscellaneous, Railroad		0	
RAILROAD TOTAL		7	
AIRLINES			
Cockpit Crew Members		0	
Engineers and Related Employees		0	
Fleet and Passenger Service Employees		0	
Fleet Service Employees		2	
Flight Attendants		3	
Flight Crew Training Instructors		1	
Flight Deck Crew Members		0	
Flight Dispatchers		6	
Flight Engineers		0	
Flight Kitchen and Commissary Employees		0	
Flight Simulator Engineers		0	
Ground School Instructors		0	
Maintenance Training Specialists		0	
Mechanics and Related Employees		2	
Office Clerical Employees		0	
Passenger Service Employees		0	
Pilots		3	
Stock and Stores Employees		3	
Combined Groups, Airlines		0	
Miscellaneous, Airlines		2	
AIRLINE TOTAL		22	
GRAND TOTAL, RAILROADS AND AIRLINES		29	

**TABLE 4:
REPRESENTATION
DETERMINATIONS
BY CRAFT OR
CLASS**

RAILROADS	NUMBER OF CASES	NUMBER OF CRAFT OR CLASS DETERMINATIONS	NUMBER OF EMPLOYEES	PERCENT ¹ OF EMPLOYEES INVOLVED
Clerical Office, Station and Storehouse Employees	0	0	0	0
Carmen	0	0	0	0
Electrical Workers	0	0	0	0
Engineers	0	0	0	0
Locomotive Engineers	0	0	0	0
Locomotive Firemen and Hostlers	0	0	0	0
Locomotive Maintenance Employees	0	0	0	0
Machinists	0	0	0	0
Maintenance of Way Employees	1	0	27	..
Operating/Non-Operating Employees	0	0	0	0
Sheet Metal Workers	0	0	0	0
Signalmen	1	1	10	0
Train Dispatchers	3	3	9	..
Train and Engine Service Employees	9	6	192	..
Train, Engine and Yard Service Employees	0	0	0	0
Transportation Operations Employees	0	0	0	0
Yardmasters	0	0	0	0
Combined Groups, Railroad	0	0	0	0
Miscellaneous, Railroad	4	1	48	..
RAILROAD TOTAL	18	11	286	..

¹Percent listing for each group represents the percentage of the 66,511 employees involved in all railroad and airline cases during fiscal year 2014.
(..) Less than one percent.

**CASE
RECORD**

**1 A.
AIRLINE
MEDIATION
CASES
DOCKETED**

CARRIER	UNION	CRAFT / CLASS
Carrier	Union	Craft/Class
FedEX	ALPA	FLIGHT DECK CREW
United Parcel Service	IBT	Mechanics (Aircraft)
Southwest Airlines	SWAPA	Pilots
Republic Holdings	IBT	Pilots
NetJets	NJASAP	Pilots
Southwest Airlines	AMFA	Mechanics and Related
LSG Sky-CHEFS	Unite	Airline Catering Employees, Drivers,
Production Cooks and Utility		
Amerijet International	IBT	Pilots
Amerijet International	IBT	Flight Engineers
United Airlines	AFA	Flight Attendants
Continental Micronesia	AFA	Flight Attendants
Continental Airlines	AFA	Flight Attendants

**1 B.
RAILROAD
MEDIATION
CASES
DOCKETED**

CARRIER	UNION	CRAFT / CLASS
Birmingham Terminal Railway	UTU -SMART	Engineers
Port Authority Trans-Hudson	RITU	Machinists
Florida East Coast Railway	UTU-SMART	Conductors, Trainmen, & Engineers
Florida East Coast Railway	UTU-SMART	Yardmasters
New Jersey Transit	IAM	Machinists
Grand Elk Railroad	SMART	Train & Engine Service
New Jersey Transit	BRS	Signalmen
New Jersey Transit	NCFO	Laborers
New Jersey Transit	SMART	Signalmen
New Jersey Transit	ATDA	Train Dispatchers
New Jersey Transit	IBEW	Supervisors
New Jersey Transit	BMWED	Maintenance of Way Employees
New Jersey Transit	IBB	Boilermakers
Northeast Illinois Regional Commuter Railroad Corporation	IAM	Machinists
Pan Am Railways	SMART	Trainmen
New Jersey Transit	TWU	Carmen
Northeast Illinois Regional Commuter Railroad Corporation	IBEW	Mechanical Department Electricians
Port Authority Trans-Hudson	BRS	Signalmen
Alabama State Port Authority	ILA	Production & Maintenance Employees
Northeast Illinois Regional Commuter Railroad Corporation	IBEW	Engineering Department Electricians
Northeast Illinois Regional Commuter Railroad Corporation	NCFO	Mechanical Department Laborers
Northeast Illinois Regional Commuter Railroad Corporation	SMART	Sheet Metal Workers
Southeastern Pennsylvania Transportation Authority	BLET	Locomotive Engineers
Pan Am Railways	BLET	Locomotive Engineers

**1 C.
AIRLINE
MEDIATION
CASES
CLOSED**

CARRIER	UNION	CRAFT / CLASS
Evergreen International Airlines	ALPA	Pilots
Commut Air	IAM	Flight Attendants
Republic Airways Holdings	IBT	Pilots
US Airways	IAM	Flight Attendants
Sun Country Airlines	IBT	Flight Attendants
North American Airlines	IBT	Flight Attendants
Alaska Airlines	AFA	Flight Attendants
Gate Gourmet	Unite-Here	Kitchen & Commissary Employees
Horizon Airlines	IAM	Store Employees
Alaska Air	IAM	Passenger Services
Southwest Airlines	IAM	Customer Service Employees
US Airways	TWU	Flight Simulator Engineers

**1 D.
RAILROAD
MEDIATION
CASES
CLOSED**

CARRIER	UNION	CRAFT / CLASS
Western New York Pennsylvania Railroad	BLET	Locomotive Engineers
Southern Pennsylvania Transit Authority	BLET	Locomotive Engineers
Metro North	ACRE	Conductors
Metro North	ACRE	Locomotive Engineers
Metro North	ACRE	Engineers
Metro North	ACRE	Traffic Controllers
Metro North	ACRE	Signalmen
Metro North	ACRE	Power Directors
Metro North	ACRE	Service Workers - Bartenders
Metro North	ACRE	Carmen & Related
Metro North	ACRE	Electrical Workers
Metro North	ACRE	Supervisors
Metro North	ACRE	Laborers
Metro North	ACRE	Supervisors - Maintenance of Way Department
Chicago, South Shore & South Bend Rail Road	TCU/IAM	Clerks
Metro North	ACRE	Maintenance of Equipment Supervisors
Metro North	ACRE	Maintenance of Way Employees
Ceva Logistics	IBT	Refuelers
Tacoma Rail	SMART	Switchmen
NY/NJ Railroad	SIU	Engine
Pan Am Railways	IBEW	Electrical Workers
Pan Am Railways	TCU IAM	Clerical
Pan Am Railways	TCU IAM	Carmen
Pan Am Railways	IAM	Machinists
South Central Florida Express	IAM	Engineers, Conductors, Mechanics, MOW & Clerical
Long Island Railroad	BLET	Engineers
Illinois Central Rail Road	SMART	Conductor & Brakemen
Kansas & Oklahoma Railroad	IAM	Machinists
Grand Trunk Western Railroad	UTU	Conductors & Brakemen
Florida East Coast Railway	SMART	Conductors, Brakemen & Engineers
Florida East Coast Railway	SMART	Yardmasters
Southern Pennsylvania Transportation Authority	BLET	Locomotive Engineers
Pam Am Railways	BLET	Locomotive Engineers & Engineer Trainees

2A.
ADR CASES
DOCKETED

CASE TYPE	CARRIER/ENTITY	UNION	GROUP
F	Virgin America	TWU	Flight Attendants
GM	Canadian Pacific (Soo Line) & SMART Transportation DIV (UTU)	SMART-UTU	Conductors, Brakemen and Switchmen
GM	Southwest Airlines	TWU	Flight Crew Training Instructors
GM	BNSF Railway Company	BMWED	Maintenance of Way Employees
GM	CSX Transportation	BLET	Engineers Trainmen
GM	American Airlines	APFA	Flight Attendants
OP	Cornell ILR		
OP	IAM	TWU	
OP	Department of Justice		
OP	Arbitration Forum		
OP	Dominican University		
OP	Section 3 Meeting		
OP	Freight Rail Conference		
OP	Dunlop II Committee		
OP	Arbitration Forum		
OP	American Bar Association - Law Employment Committee		
OP	Midwest Academy of Legal Studies in Business		
OP	ABA RLA		
OP	Norfolk Southern Labor Relations		
OP	International Federation Airline Pilots Association		
OP	Delta ALPA MEC Meeting		
OP	ALPA Leadership Training		
OP	Taiwan Mediation Delegation Presentation		
OP	Texas Labor Management Conference		
OP	Central Virginia Mediation Network		
OP	Arbitration Forum in Chicago		
OP	Arbitration Utilization Training Program		
OP	AFA-MEC		
OP	Presentation on RLA Basics		
OP	Department of Navy		
OP	Arbitration Forum		
OP	Dominican University		
OP	Catholic University's School of Professional & Continuing Studies		
OP	Section 3 Meeting		
OP	American Airlines & TWU Grievance Mediation Discussion		
T	ACR Conference		
T	CSX Ombudsmanship		
T	Catholic University - Metropolitan School of Professional Studies		
T	CSX-Transportation	BRS	Signalmen
T	S/CA Mediation Assoc of Law Pepperdine University School of Law		
T	Mediator Meeting		
T	Mediator Meeting		
T	Mediator Meeting		

2A.
ADR CASES
DOCKETED
CONTINUED

CASE TYPE	CARRIER/ENTITY	UNION	GROUP
T	Mediator Meeting		
T	Mediator Meeting		
T	Mediator Meeting		
T	Dominican Mediation Class		
T	CSX Transportation	CSX	Personnel
T	Canadian Pacific (Soo Line)	SMART-UTU	
T	CSX Transportation		
T	Virgin America	TWU	Flight Attendants
T	ABA RLA Meeting		
T	Dominican University Partnership Presentation		
T	Air Wisconsin	IAM	Mechanics
T	International ODR Forum		
T	PS1 Training		
T	Dublin ODR Conference		
T	Dominican University		
T	Dominican University		
T	Dominican University		
T	Dominican University		
T	Negotiation		
T	CSX Transportation		
T	CSX Transportation		
T	Texas Labor Management Conference		
T	Association of Labor Relations Agencies		
T	Federal Dispute Resolution Training		
T	New Mediator Training		
T	Southwest Airlines		
T	Mediator Meeting		
T	Dominican Coaches Training		
T	Grievance Mediation Overview Training		
T	NARR		
T	American Airlines	APFA	Flight Attendants
T	Keolis Commuter Services	Various Orgs	

2B.
ADR CASES
CLOSED

CASE TYPE	CARRIER/ENTITY	UNION	GROUP
F-0139	United Airlines	AFA	Flight Attendants
GM-107	US Airlines	AFA	Flight Attendants
GM-108	US Airlines	AFA	Flight Attendants
GM-130	Compass Airlines	AFA	Flight Attendants
OP-315	Department of Justice - Negotiation & Mediation Presentation		
OP-316	ALPA Board of Directors		
OP-317	Cornell ILR		
Op-318	IAM	TWU	
OP-319	Department of Justice		
OP-320	Arbitration Forum		
OP-321	Dominican University		
OP-322	Section 3 Meeting		
OP-323	Freight Rail Conference		
OP-324	Dunlop II Committee		
OP-325	Arbitration Forum		
OP-326	American Bar Association - Law Employment Committee		
OP-327	Midwest Academy of Legal Studies in Business		
OP	ABA RLA		
OP	Norfolk Southern Labor Relations		
OP	International Federation Airline Pilots Association		
OP	Delta ALPA MEC Meeting		
OP	ALPA Leadership Training		
OP	Taiwan Mediation Delegation Presentation		
OP	Texas Labor Management Conference		
OP	Central Virginia Mediation Network		
OP	Arbitration Forum in Chicago		
OP	Arbitration Utilization Training Program		
OP	AFA-MEC		
OP	Presentation on RLA Basics		
OP	Department of Navy		
OP	Arbitration Forum		
OP	Dominican University		
OP	Catholic University's School of Professional & Continuing Studies Program		
OP	Section 3 Meeting		
OP	American Airlines & TWU Grievance Mediation Discussion		
T	Air Transport International	ALPA	Flight Crew Members
T	Problem Solving for One		
T	Dominican University		
T	Dominican University		

2B.
ADR CASES
CLOSED
CONTINUED

CASE TYPE	CARRIER/ENTITY	UNION	GROUP
T	Dominican University		
T	CXS Transportation		
T	ACR Conference		
T	Catholic University - Metropolitan School of Professional Studies		
T	CSX Transportation	BRS	
T	S/CA Mediation Assoc of Law Pepperdine University School of Law		
T	Mediator Meeting		
T	Mediator Meeting		
T	Mediator Meeting		
T	Mediator Meeting		
T	Mediator Meeting		
T	Mediator Meeting		
T	Dominican Mediation Class		
T	CSX Transportation		
T	Canadian Pacific (Soo Line)	SMART-UTU	Conductors, Brakemen & Switchmen
T	CSX Transportation		
T	Virgin America	TWU	Flight Attendants
T	ABA RLA Meeting		
T	Dominican University Partnership Presentation		
T	Air Wisconsin	IAM	Mechanics
T	International ODR Forum		
T	PS1 Training		
T	Dublin ODR Conference		
T	CSX Transportation		
T	CSX Transportation		
T	Texas Labor Management Conference		
T	Association of Labor Relations Agencies		
T	Federal Dispute Resolution Training		
T	New Mediator Training		
T	New Mediator Training		
T	Southwest Airlines		
T	Dominican Coaches Training		
T	Grievance Mediation Overview Training		
T	NARR		

3A.
AIRLINE
REPRESENTATION
CASES
DOCKETED

CARRIER	UNION	CRAFT / CLASS
Allegiant Airlines	IBT	Flight Dispatchers (R-7421)
Allegiant Airlines	TWU/ Steven Stoecker	Flight Attendants (R-7438)
American Airlines	TWU/IAM Fleet Assoc.	Fleet Service Employees (R-7423)
American Airlines	TWU/IAM Mechanics Assoc.	Mechanics & Related (R-7422) Employees
American Airlines	TWU/IAM Stores Assoc.	Stock & Stores (R-7424) Employees
American Airlines	NAAP	Mechanics & Related Employees (R-7425)
American Airlines	NAAP	Fleet Service Employees (R-7426)
American Airlines	NAAP	Stock & Stores Employees (R-7427)
American Airlines	TWU	Instructors (R-7428)
American Airlines	TWU	Flight Dispatchers (R-7429)
Cathay Pacific Airways	USAOA Trading as USA Basings, Ltd.	Pilots (R-7435)
Delta Air Lines	IAM	Flight Attendants (R-7418)
Gateway Frontline Services	Gateway Employee Alliance	Passenger Assistance & (R-7434) Dispatchers
Horizon Airlines	IAM Employees	Stock & Stores (R-7413)
Silver Airways	AFA-CWA	Flight Attendants (R-7416)
Southwest Airlines	TWU Coordinators	Customer Service (R-7433)
Southwest Airlines	TWU	Flight Dispatchers (R-7432)
Southwest Airlines	IAM	Source of Support Reps (R-7431)
Travel Management Company, Ltd.	IBT	Pilots (R-7417)
Virgin America, Inc.	ALPA	Pilots (R-7430)

**3B.
RAILROAD
REPRESENTATION
CASES DOCKETED**

CARRIER	UNION	CRAFT / CLASS
Alliance Terminal Railroad	SMART	Train & Engine (R-7415) Service Employees
Central Maine & Quebec Railway	SMART	Train & Engine Service Employees (R-7440)
Central Maine & Quebec Railway	SMART	Non-Operating Employees (R-7442)
Chicago, Ft. Wayne &	BRS	MOW Employees (R-7409)
Eastern Illinois Railroad, Co.	SMART Employees	Train & Engine Service (R-7437)
Georgia & Florida Railway, Inc.	Glenn Adams	MOW Employees (R-7439)
Indiana Rail Road, Co.	BMWED-IBT	MOW Employees (R-7436)
Long Island Railroad	IRSA	Road Foreman/ Lead road Foreman (R-7441)
Palmetto Railway	IAM	MOW Employees (R-7414)
Texas & Northern Railway	SMART Employees	Non-Operating (R-7420)
Texas & Northern Railway	SMART	Operating Employees (R-7419)

3C.
AIRLINE
REPRESENTATION
CASES CLOSED

CARRIER	UNION	CRAFT / CLASS	DISPOSITION
Allegiant Airlines	IBT	Flight Dispatchers	Dismissal (R-7421)
American Airlines	TWU/IAM Fleet Assoc.	Fleet Service	FUI-Certification (R-7423)
American Airlines	TWU/IAM Mechanics. Assoc.	Mechanics & Related Employees	FUI-Certification (R-7422)
American Airlines	TWU/IAM Stores Assoc.	Stock & Stores Employees	FUI-Certification (R-7424)
American Airlines	NAAP	Mechanics & Employees	Dismissal (R-7425)
American Airlines	NAAP	Fleet Service Employees	Dismissal (R-7426)
American Airlines	NAAP	Stock & Stores Employees	Dismissal (R-7427)
American Airlines	TWU	Instructors	Certification (R-7428)
American Airlines	TWU	Flight Dispatchers	Certification (R-7429)
Cathay Pacific Airways Trading as USA Basings, Ltd.	USAOA	Pilots	Certification (R-7435)
Delta Air Lines	IAM	Flight Attendants	WDI-Dismissal (R-7418)
ExpressJet Airlines	TWU	Flight Dispatchers	Certification (R-7402)
Gateway Frontline Services	Gateway Employee Alliance	Passenger Assistance & Dispatchers	FUI-Dismissal (R-7434)
Horizon Airlines	IAM Employees	Stock & Stores	Dismissal (R-7413)
Silver Airways	AFA-CWA	Flight Attendants	Certification (R-7416)
Southwest Airlines	TWU	Meteorologists	Certification (R-7411)
Southwest Airlines	TWU Coordinators	Customer Service	FUI-Dismissal (R-7433)
Southwest Airlines	TWU	Flight Dispatchers	FUI-Dismissal (R-7432)
Southwest Airlines	IAM	Source of Support Reps	FUI-Dismissal (R-7431)
Travel Management Company, Ltd.	IBT	Pilots	Certification (R-7417)
United Airlines	PAFCA	Flight Dispatchers	Certification (R-7408)
Virgin America, Inc.	ALPA	Pilots	Certification (R-7430)

**3D.
RAILROAD
REPRESENTATION
CASES CLOSED**

CARRIER	UNION	CRAFT / CLASS	DISPOSITION
Alliance Terminal	SMART Railroad	Train & Engine Service Employees	Certification (R-7415)
Chicago, Ft. Wayne &	BRS Eastern Railroad	MOW Employees	Certification (R-7409)
Georgia & Florida	Glenn Adams Railway, Inc.	MOW Employees	Certification (R-7439)
Indiana Rail Road, Co.	BMWED-IBT	MOW Employees	Certification (R-7436)
Palmetto Railway	IAM	MOW Employees	Dismissal (R-7414)
Texas & Northern	SMART Railway	Non-Operating Employees	Dismissal (R-7420)
Texas & Northern Railway	SMART	Operating Employees	Dismissal (R-7419)

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CHIEF FINANCIAL OFFICER LETTER

November 13, 2015

I am pleased to present the National Mediation Board's Performance and Accountability Report Financial section. This report shows both the progress we made in Fiscal Year 2015 and our plans to continue improving future performance. The principal financial statements and notes that follow explain the NMB's financial position as of September 30, 2015, and detail the use of agency's financial resources to achieve performance results.

For the past 18 consecutive years, the NMB has received an "Unqualified Audit Opinion" on its financial statements. Along with the "Unqualified Audit Opinion," the report of independent auditors found "No Material Weaknesses or Significant Deficiencies" in the design and operation of the agency's system of internal controls over financial reporting.

Fiscal year 2015 saw monumental improvement substantially exceeding the Small Business Administration's Government-wide goal to ensure that small businesses get their fair share of work with the federal government by awarding the following entities:

- Small Business Goal 23 percent – Actual awards 82.68 percent
- Small Disability Business Goal 3 percent – Actual awards 27.74 percent
- Women Owned Business Goal 5 percent – Actual awards 5.85 percent

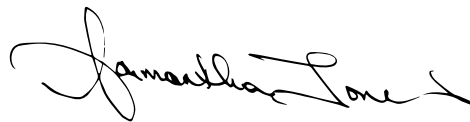
This section also includes FY 2015 financial information and uses our performance results to show how we optimized our financial resources to protect consumers and maintain competition. The NMB, is committed to exemplary financial management and the enhancement of operational efficiency through a variety of cost-saving efforts.

With FY 2016 expected to be another challenging year, we will continue to focus on identifying solutions to maintain our financial stability, ensure transparency and accountability, and maintain high levels of mission performance and employee satisfaction and morale. We are confident that the NMB's financial and performance data are complete, accurate, and reliable. We will also continue to seek ways to strengthen and improve the agency's system for the administrative control of funds.

The NMB is dedicated to the performance and accountability standards established by the President and Congress, and is keenly aware of the role of sound financial management practices in good government. The NMB's financial professionals will work together to improve financial management and accountability in support of our agency's mission.

The NMB continues to strive to maintain an environment in which program and financial managers work to ensure the integrity of financial information, and use that information in decision-making and performance measurement.

Respectfully,



Samantha Jones

Assistant Chief of Staff, Administration & Chief Financial Officer

INDEPENDENT AUDITORS' REPORT

Board Members National Mediation Board

We have audited the accompanying consolidated balance sheet of the National Mediation Board (NMB) as of September 30, 2015 and 2014, and the related consolidated statements of net cost, changes in net position, and combined statement of budgetary resources for the year then ended (hereinafter referred to as "consolidated financial statements"). The objective of our audits was to express an opinion on the fair presentation of these consolidated financial statements. In connection with our fiscal year 2015 audit, we also considered NMBs' internal controls over financial reporting and tested NMBs' compliance with certain provisions of applicable laws and regulations that could have a direct and material effect on these consolidated financial statements.

Summary

As stated in our opinion of the consolidated financial statements, we concluded that NMB consolidated financial statements as of and for the years ended September 30, 2015 and 2014, are presented fairly, in all material respects, in conformity with U.S. generally accepted accounting principles. We did not identify any deficiencies in internal control over financial reporting we considered to be a material weakness or significant deficiency as defined in the Consideration of Internal Control section of this report. Our test of compliance with certain provisions of laws and regulations did not disclose any instances of non compliance. The following sections discuss our opinion on NMB consolidated financial statements; our considerations of NMB internal control over financial reporting; our tests of NMB compliance with certain provisions of applicable laws and regulations; and management's and our responsibilities.

Opinion on the Financial Statements

We have audited the accompanying consolidated balance sheets of NMB as of September 30, 2015 and 2014, and related consolidated statements of net costs and changes in net position, and combined statements of budgetary resources for the years then ended.

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of NMB as of September 30, 2015 and 2014, and its net costs, changes in net position, and budgetary resources for the year then ended in conformity with U.S. general accepted accounting principles.

The information in the Management and Discussion Analysis section of this report is not a required part of the basic financial statements, but is supplementary information required by U.S. generally accepted accounting principles. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of this information. However we did not audit this information and, accordingly, we express no opinion on it.

Consideration of Internal Control

A control deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatement on a timely basis. A significant deficiency is a control deficiency or a combination of control deficiencies, that adversely affects NMBs' ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the NMB's financial statements that is more than inconsequential will not be prevented or detected. A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected.

Our consideration of internal control over financial reporting was for the limited purpose described in the Responsibilities section of this report and was not designed to identify all deficiencies in internal control over financial reporting that might be a control deficiency, significant deficiency, or material weakness. In our fiscal year 2015 audit, we did not identify any deficiencies in internal control over financial reporting that we considered to be a material weakness or significant deficiency, as defined above.

Exhibit I presents the status of prior year significant deficiencies.

We noted certain additional matters that we have reported to NMB management in a separate letter dated November 16, 2015.

**INDEPENDENT
AUDITORS'
REPORT**

Compliance with Applicable Laws and Regulations

The results of our tests of compliance as described in the Responsibilities section of this report, disclosed no instances of noncompliance or other matters that are required to be reported herein under Government Auditing Standards or OMB Bulletin No. 15-02.

Responsibilities

Management Responsibilities: Management is responsible for the consolidated financial statements; establishing and maintaining effective internal control over financial reporting; and complying with laws and regulations applicable to NMB.

Auditors' Responsibilities: Our responsibility is to express an opinion on the fiscal year 2015 and 2014 consolidated financial statements of NMB based on our audits. We conducted our audit in accordance with Government Auditing Standards, auditing standards generally accepted in the United States, and OMB Bulletin No. 15-02, Audit Requirements for Federal Financial Statements. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes the consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for expressing an opinion on the effectiveness of NMB internal control over financial reporting. Accordingly, we express no such opinion.

An audit also includes:

- Examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements.
- Assessing the accounting principles used and significant estimates made by management; and
- Evaluating the overall financial statement presentation.

We believe that our audits provide a reasonable basis for our opinion.

In planning and performing our fiscal year 2015 audit, we considered NMB's internal control over financial reporting by obtaining an understanding of NMB's internal control, determining whether internal control had been placed in operation, assessing control risk, and performing tests of control to determine auditing procedures for the purpose of expressing our opinion on the consolidated financial statements, but not to provide an opinion on the effectiveness of NMB internal control over financial reporting. Accordingly we do not express an opinion on NMB's internal controls over financial reporting. We limited internal control testing to those necessary to achieve the objectives described in OMB Bulletin No. 15-02. We did not test all internal control relevant to operating objectives as broadly defined by the Federal Managers' Financial Integrity Act of 1982.

As part of obtaining reasonable assurance about whether NMBs' fiscal year 2015 consolidated financial statements are free of material misstatements, we performed test of NMBs' compliance with certain provisions of laws and regulations, which noncompliance with could have a direct and material effect on the determination of the consolidated financial statement amounts, and certain provisions of other laws specified in OMB Bulletin 15-02. This report is intended solely for the information of NMB management, OMB, and Congress. This report is not intended to be and should not be used by anyone other than these specified parties.

Allmond & Company, LLC

Allmond & Company, LLC

November 16, 2015
 Certified Public Accountants
 8181 Professional Place, Suite 250
 Landover, Maryland 20785
 (301) 918 8200

**INDEPENDENT
AUDITORS'
REPORT**

Exhibit I

Status of Prior Year Findings and Recommendations

The following table provides the fiscal year (FY) 2015 status of all recommendations included in the Independent Auditors' Report on the National Mediation Board's FY 2014 Consolidated Financial Statements (November 14, 2014).

FY 2014 FINDING	FY 2014 RECOMMENDATION	FY 2015 STATUS
Arbitration Obligations	Recommendation: We recommend that NMB do the following:	
	1 Continue to work with NMBs' Chief Information Officer to develop a report at the level of detail necessary to reconcile AWS obligations to general ledger obligations.	Closed
	2 Office of Administration staff or service provider reconciles the status of obligations established in the general ledger to the amount of cases assigned to an arbitrator per the Arbitration Workspace on a monthly basis.	Closed
	3 Record an upward adjustment to existing arbitrator obligations when an invoice is received and not enough monies are remaining on the obligation to pay the invoice.	Closed
	4 Provide training to OA staff responsible for advising the service provider on which obligation is to be liquidated to pay invoices received from arbitrators.	Closed
	5 Monitoring activities performed monthly by Office of Administration and Office of Arbitration over the funds that remain available for obligation related to arbitration services.	Closed
	6 Continue to develop a mechanism to estimate and update obligations related to arbitration in the general ledger as more information about the status of the case becomes available.	Closed

**BALANCE
SHEET AS OF
SEPTEMBER 30,
2015 & 2014
(IN DOLLARS)**

ASSETS	2015	2014
<hr/>		
Intragovernmental		
Fund Balance with Treasury (Note 2)	\$ 7,120,208	\$ 6,172,901
Accounts Receivable, Net	\$ 4,251	\$ 3,312
Property, Equipment, and Software, Net (Note 3)	\$ 30,811	
<hr/>		
TOTAL ASSETS	\$ 7,124,459	\$ 6,207,024
<hr/>		
Intragovernmental		
Accounts Payable	\$ 216,861	\$ -
Employer Contributions and Payroll Taxes Payable	39,338	\$ 23,718
<hr/>		
TOTAL INTRAGOVERNMENTAL	\$ 256,199	\$ 23,718
<hr/>		
Accounts Payable	\$ 115,981	\$ 312,978
Accrued Payroll and Benefits	\$ 161,365	\$ 160,522
Unfunded Annual Leave (Note 4)	\$ 474,417	\$ 472,043
Contingent Liabilities (Note 7)	\$ 175,000	\$ 75,000
Capital Lease Liability (Note 6)	\$ 0	\$ 23,046
<hr/>		
TOTAL LIABILITIES	\$ 1,182,962	\$ 1,067,307
<hr/>		
Net Position:		
Unexpended Appropriations	\$ 6,586,663	\$ 5,652,637
Cumulative Results of Operations	\$ (645,166)	\$ (512,920)
Total Net Position	\$ 5,941,497	\$ 5,139,717
<hr/>		
TOTAL LIABILITIES AND NET POSITION	\$ 7,124,459	\$ 6,207,024

**STATEMENT
OF NET COST
FOR THE FISCAL
YEARS ENDING
SEPTEMBER 30,
2015 & 2014
(IN DOLLARS)**

	2015	2014
Program Costs:		
Mediation/ADR Gross Cost	\$ 7,233,742	\$ 7,745,039
TOTAL MEDIATION/ADR	\$ 7,233,742	\$ 7,745,039
Representation Gross Cost	\$ 2,243,999	\$ 2,537,014
TOTAL REPRESENTATION	\$ 2,243,999	\$ 2,537,014
Arbitration Gross Cost	\$ 2,566,043	\$ 1,862,429
TOTAL ARBITRATION	\$ 2,566,043	\$ 1,862,429
Presidential Emergency Board Gross Cost	\$ 103,707	\$ 279,422
TOTAL PRESIDENTIAL EMERGENCY BOARD	\$ 103,707	\$ 279,422
TOTAL GROSS PROGRAM COSTS	\$ 12,147,491	\$ 12,423,904
Net Program Costs (Note 8)	\$ 12,147,491	\$ 12,423,904

**STATEMENT OF
CHANGES IN
NET POSITION
FOR THE FISCAL
YEARS ENDING
SEPTEMBER 30,
2015 & 2014
(IN DOLLARS)**

	2015	2014
Cumulative Results of Operations:		
Beginning Balances	\$ (512,920)	\$ (424,849)
Budgetary Financing Sources:		
Appropriations Used	\$ 11,616,730	\$ 11,866,256
Other Financing Sources (Non-Exchange):		
Imputed Financing Sources (Note 5)	\$ 398,515	\$ 469,577
TOTAL FINANCING SOURCES	\$ 12,015,245	\$ 12,335,833
Net Cost of Operations	\$ (12,147,491)	\$ (12,423,904)
Net Change	\$ (132,246)	\$ (88,071)
Cumulative Results of Operations	\$ (645,166)	\$ (512,920)
Unexpended Appropriations:		
Beginning Balances	\$ 5,652,637	\$ 5,146,596
Budgetary Financing Sources:		
Appropriations Received	\$ 13,227,000	\$ 13,116,000
Other Adjustments	\$ (676,244)	\$ (743,703)
Appropriations Used	\$ (11,616,730)	\$ (11,866,256)
TOTAL BUDGETARY FINANCING RESOURCES	\$ 934,026	\$ 506,041
TOTAL UNEXPENDED APPROPRIATIONS	\$ 6,586,663	\$ 5,652,637
Net Position	\$ 5,941,497	\$ 5,139,717

**STATEMENT OF
BUDGETARY
RESOURCES
FOR THE FISCAL
YEARS ENDING
SEPTEMBER 30,
2015 & 2014
(IN DOLLARS)**

	2015	2014
Budgetary resources:		
Unobligated balance brought forward, October 1	\$ 3,467,179	\$ 3,743,103
Recoveries of Prior Year Unpaid Obligations	\$ 879,280	\$ 286,402
Other changes in unobligated balance	\$ (676,244)	\$ (743,703)
Unobligated balance from prior year budget authority, net	\$ 3,670,215	\$ 3,285,802
Appropriations	\$ 13,227,000	\$ 13,116,000
Spending authority (discretionary and mandatory)	\$ 93,718	-
TOTAL BUDGETARY RESOURCES	\$ 16,990,933	\$ 16,401,802
Status of budgetary resources:		
Obligations incurred (Note 9)	\$ 13,013,229	\$ 12,934,623
Unobligated balance, end of year:		
Apportioned	\$ 566,880	\$ 437,914
Unapportioned	\$ 3,410,824	\$ 3,029,265
TOTAL UNOBLIGATED BALANCE, END OF YEAR	\$ 3,977,704	\$ 3,467,179
TOTAL BUDGETARY RESOURCES	\$ 16,990,933	\$ 16,401,802
Change in obligated balance:		
Unpaid obligations:		
Unpaid obligations, brought forward, October 1	\$ 2,705,722	\$ 1,697,200
Obligations incurred	\$ 13,013,229	\$ 12,934,623
Outlays (gross)	\$ (11,697,167)	\$ (11,639,699)
Recoveries of prior year unpaid obligations	\$ (879,280)	\$ (286,402)
Unpaid obligations, end of year (Gross)	\$ 3,142,504	\$ 2,705,722
Memorandum entries:		
Obligated balance, start of year	\$ 2,705,722	\$ 1,697,200
Obligated balance, End of year	\$ 3,142,504	\$ 2,705,722
Budget Authority and Outlays, Net		
Budget authority, gross	\$ 13,320,718	\$ 13,116,000
Actual offsetting collections	\$ (93,718)	-
Budget authority, net	\$ 13,227,000	\$ 13,116,000
Outlays, gross	\$ 11,697,167	\$ 11,639,698
Actual offsetting collections	\$ (93,718)	-
Agency outlays, net	\$ 11,603,449	\$ 11,639,698

**NOTES TO
FINANCIAL
STATEMENTS
SEPTEMBER 30,
2015 &
SEPTEMBER 30,
2014**

Notes to Principal Statements

Note 1: Summary of Significant Accounting Policies

A. Reporting Entity

The National Mediation Board (NMB), established in 1934 under Section 4 of the Railway Labor Act (RLA), is an independent U.S. federal government agency that performs a central role in facilitating harmonious labor-management relations within two of the nation's major transportation modes - the railroads and airlines. Recognizing the importance of these transportation industries to the public, shippers, and consumers, as well as to the economy and security of the country, the RLA established NMB to promote four key statutory goals:

- The prompt and orderly resolution of disputes arising out of the negotiation of new or revised collective bargaining agreements.
- The effectuation of employee rights of self-organization where a representation dispute exists; and
- The prompt and orderly resolution of disputes over the interpretation or application of existing agreements.

NMB prepares its financial statements to be in conformity with general accepted accounting principles. NMB does not hold any non-entity assets and has no funds from dedicated collections as described by the Statement of Federal Financial Accounting Standards (SFFAS) 43.

B. Basis of Presentation

NMB's principal financial statements were prepared from its official financial records and general ledger in conformity with accounting principles generally accepted in the United States and follow the presentation guidance established by OMB Circular No. 136 "Financial Reporting Requirements," as amended. The amounts reported in the financial statements are consolidated totals net of intra-entity transactions. The financial statements have been prepared to report the financial position, net cost of operations, changes in net position, and the status and availability of budgetary resources of NMB. Unless specified otherwise, all amounts are presented in dollars.

C. Basis of Accounting

Transactions are recorded on both an accrual accounting basis and a budgetary basis. The accrual method of accounting requires recognition of the financial effects of transactions, events, and circumstances in the period(s) when those transactions, events, and circumstances occur, regardless of when cash is received or paid. Budgetary accounting facilitates compliance with legal requirements and controls over the use of funds and to keep track of budget authority at the various stages of execution including allotment, obligation, and outlay.

The Balance Sheet, Statement of Net Cost, Statement of Net Position, and Statement of Budgetary Resources have been prepared in accordance with generally accepted accounting principles accepted in the United States for federal entities as prescribed by the standards set forth by the Federal Accounting Standards Advisory Board (FASAB). FASAB is recognized by the American Institute of Certified Public Accountants as the body designated to establish generally accepted accounting principles for federal entities. Certain assets, liabilities, and costs have been classified as intragovernmental throughout the financial statements and notes. Intragovernmental is defined as transactions made between two reporting entities within the federal government.

D. Revenue and Other Financing Sources

NMB receives funds to support its programs through annual appropriations. These may be used to pay program and administrative expenses (primarily salaries and benefits, occupancy, travel, and contractual services costs). Appropriations are recognized as other financing sources at the time they are used to pay program or administrative expenses. Appropriations used to acquire property and equipment is recognized as financing sources when the assets are purchased.

E. Use of Estimates

The preparation of the accompanying financial statements in accordance with U.S. generally accepted accounting principles requires management to make certain estimates and assumptions that affect the reported amounts of assets, liabilities, revenues, and expenses. Actual results could differ from those estimates.

**NOTES TO
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STATEMENTS
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F. Fund Balances with the US Department of Treasury

The U.S. Treasury (Treasury) processes cash receipts and disbursements on NMB's behalf. The balance of funds with Treasury represents appropriated funds that are available to pay current liabilities and finance authorized purchase obligations relative to goods or services that have not been received. NMB does not maintain cash in commercial bank accounts or foreign currency balances.

G. Accounts Receivable

Accounts receivable primarily consists of amounts due from current and former employees. These receivables are a result of payroll adjustments and or court ordered actions. An allowance for uncollectible accounts receivable from the public is established when either (1) management determines that collection is unlikely to occur after a review of outstanding accounts and the failure of all collection efforts, or (2) an account for which no allowance has been established is submitted to the Department of the Treasury for collection, which takes place when it becomes 120 days delinquent. Based on historical experience, all receivables are collectible and no allowance is provided.

H. Property and Equipment

Property and equipment is stated at cost less accumulated depreciation. NMB capitalizes property and equipment purchases with a cost greater than \$5,000, and a total useful life exceeding one year. Depreciation is calculated on a straight-line basis based on an estimated useful life of 5 years for all assets. Expenditures for repairs and maintenance are charged to operating expenses as incurred. When NMB enters into a lease agreement, as lessee, if the title of the asset transfers to NMB at the end of the lease or any of the other three capitalization criteria pursuant to SFFAS No. 6, Accounting for Property, Plant, and Equipment, are met, NMB capitalizes the lease at the present value of minimum lease payment and amortizes the cost over the economic useful life of the asset.

I. Liabilities

Liabilities represent the amount of monies or other resources that are likely to be paid by NMB as the result of a transaction or event that has already occurred. However, no liability can be paid by NMB absent an appropriation. Liabilities for which an appropriation has not been enacted are therefore classified as Liabilities Not Covered by Budgetary Resources and there is no certainty that the appropriations will be enacted. Also, liabilities of NMB arising from other than contracts can be abrogated by the government, acting in its sovereign capacity.

Liabilities covered by budgetary resources are liabilities funded by a current appropriation or other funding source. These consist of accounts payable and accrued payroll and benefits. Accounts payable represent amounts owed to another entity for goods ordered and received and for services rendered except for employees.

Liabilities not covered by budgetary resource are liabilities that are not funded by any current appropriation or other funding source. These liabilities consist of accrued annual leave and contingent liabilities.

Regarding NMB's building lease, the General Services Administration (GSA) entered into a lease agreement for NMB's rental of building space. NMB pays GSA a standard level users charge for the annual rental. The standard level users charge approximates the commercial rental rates for similar properties.

J. Accrued Payroll and Benefits

Accrued payroll and benefits reflect salaries and benefits that have been earned, but not disbursed as of September 30, 2015. Accrued payroll and benefits are payable to employees and are therefore not classified as Intragovernmental.

K. Annual, Sick and Other Leave

Annual leave is accrued as a liability as it is earned. The accrual is reduced as leave is taken. Each pay period the balance in the accrued leave account is adjusted to reflect the current leave balances and pay rates. Accrued annual leave is paid from future funding sources and accordingly is reflected as a liability not covered by budgetary resources. Sick leave and other types of non-vested leave are charged to expense as the leave is used.

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L. Retirement Plan

NMB's employees participate in either the Civil Service Retirement System (CSRS) or the Federal Employees' Retirement System (FERS). Employees participating in CSRS contribute 7 percent of their gross pay to the plan, and NMB contributes 7 percent.

On January 1, 1987, FERS went into effect pursuant to Public Law 99-335. Most employees hired after December 31, 1983, are automatically covered by FERS and are eligible for Social Security benefits. Employees hired prior to January 1, 1984, could elect either to transfer to the FERS plan and become eligible for Social Security benefits or remain in CSRS. A primary feature of FERS is that it offers a savings plan in which NMB automatically contributes 1 percent of employees' pay and matches any employee contribution up to an additional 4 percent of pay.

The actuarial present value of accumulated benefits, assets available for benefits, and unfunded pension liability of CSRS and FERS is not allocated to individual departments and agencies and is therefore not disclosed by NMB. The reporting of these amounts is the responsibility of the Office of Personnel Management.

M. Commitments and Contingencies

Commitments are contractual agreements involving financial obligations. NMB is committed for goods and services that have been ordered, but have not yet been received. A contingency is an existing condition, situation, or set of circumstances involving uncertainty as to possible gain or loss. The uncertainty will ultimately be resolved when one or more future events occur or fail to occur. A contingent liability is disclosed in the notes to the financial statements when a past event or exchange transaction has occurred, and future outflow or other sacrifice of resources is measurable and probable. A contingency is not disclosed when any of the conditions for liability recognition are not met and the chance of the future event or events occurring are not probable.

Note 2: Fund Balances with Treasury

Fund Balance with Treasury account balances as of September 30, 2015 and 2014 were as follows:

FUND BALANCES:	2015	2014
General Funds	\$ 7,120,208	\$ 6,172,901
TOTAL	\$ 7,120,208	\$ 6,172,901
Status of Fund Balance with Treasury		
Unobligated Balance:		
Available	\$ 566,880	\$ 437,914
Unavailable	\$ 3,410,824	\$ 3,029,265
Obligated Balance Not Yet Disbursed	\$ 3,142,504	\$ 2,705,722
TOTAL	\$ 7,120,208	\$ 6,172,901

The available unobligated fund balances represent the current-period amount available for obligation or commitment.

The unavailable unobligated fund balances represent the amount of appropriations for which the period of availability for obligation has expired. These balances are available for upward adjustments of obligations incurred only during the period for which the appropriation was available for obligation or for paying claims attributable to the appropriations.

The obligated balance not yet disbursed includes accounts payable, accrued expenses, and undelivered orders that have reduced unexpended appropriations but have not yet decreased the fund balance.

**NOTES TO
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Note 3: Property and Equipment, Net

NMB uses straight-line depreciation with a useful life of 5 years and a capitalization threshold of \$5,000.

Schedule of Property and equipment, at September 30, 2015

MAJOR CLASS	ACQUISITION COST	ACCUMULATED AMORTIZATION/ DEPRECIATION	NET BOOK
Capital Lease	\$ -	\$ -	\$ -
Furniture & Equipment	\$ -	\$ -	\$ -
TOTAL	\$ -	\$ -	\$ -

Schedule of Property and equipment, at September 30, 2014

MAJOR CLASS	ACQUISITION COST	ACCUMULATED AMORTIZATION/ DEPRECIATION	NET BOOK
Capital Lease	\$ 157,180	\$ 134,134	\$ 23,046
Furniture & Equipment	\$ 93,553	\$ 85,788	\$ 7,765
TOTAL	\$ 250,733	\$ 219,922	\$ 30,811

Note 4: Liabilities Covered and Not Covered by Budgetary Resources

Liabilities Covered and Not Covered By Budgetary Resources as of September 30, 2015 and 2014 consist of the following:

LIABILITIES NOT-COVERED BY BUDGETARY RESOURCES	2015	2014
Contingent Liabilities	\$ 175,000	\$ 75,000
Unfunded Leave	\$ 474,417	\$ 4 72,043
TOTAL LIABILITIES NOT COVERED BY BUDGETARY RESOURCES	\$ 649,417	\$ 547,043
TOTAL LIABILITIES COVERED BY BUDGETARY RESOURCES	\$ 533,545	\$ 520,264
TOTAL LIABILITIES	\$ 1,182,962	\$ 1,067,307

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Note 5: Pensions, Other Retirement Benefits, and Other Post Retirement Benefits

The NMB reports the full cost of employee pensions, other retirement benefits, and other post-employment benefits in accordance with SFFAS No. 5, Accounting for Liabilities of the Federal Government. Although the NMB funds a portion of the benefits under FERS and CSRS relating to its employees and withholds the necessary payroll deductions, a portion of the Normal Pension Cost remains unpaid. SFFAS No. 5 requires the recognition of this remaining cost as imputed financing.

Pension and other retirement benefit expenses are calculated using cost factors determined by actuaries at the Office of Personnel Management. These cost factors are calculated based on economic and demographic assumptions. The cost factor is multiplied by the basic pay in order to obtain the "Normal Cost" for the accounting period. This Normal Cost is the present value of the projected benefits of each employee allocated on a level basis over the service of the employee between entry age and assumed exit age. The imputed financing amount represents the difference between the employer's total pension expense and the employer's contribution.

Imputed Financing Sources in 2015 and 2014 consists of the following:

	2015	2014
Office of Personnel Management	\$ 398,515	\$ 469,577
TOTAL IMPUTED FINANCING SOURCES	\$ 398,515	\$ 469,577

Note 6: Accounting for Leases

Operating Leases: NMB occupies office space under a lease agreement with the General Services Administration (GSA) that is accounting for as an operating lease. The lease term was for a period of eleven years began on November 1, 2005 and expires on October 31, 2016. NMB pays GSA a standard level users charge for the annual rental adjusted annually for operating cost escalations in accordance with the provisions in the Federal Management Regulations.

FISCAL YEAR	OFFICE SPACE
2015	\$ 1,418,181
2016	\$ 1,434,348
TOTAL FUTURE LEASE PAYMENTS	\$ 2,852,529

Capital Leases:

NMB entered into a capital lease on September 10, 2010 to lease a Xerox machine over a five-year period. The lease provide for ownership to transfer to NMB at the end of the lease period. The present value of the minimum lease payments of \$25,807.20 annually at an interest rate of 8.25 percent was determined to be \$102,365.28 for the machine. The Capital Lease Asset is being depreciated on a straight line basis on 5 years. The Capital Lease Liability as of September 30, 2015 and 2014 was \$0 and \$19,062.

NMB entered into a capital lease on September 27, 2010 to lease a Xerox machine over a five-year period. The lease provide for ownership to transfer to NMB at the end of the lease period. The present value of the minimum lease payments of \$5,393.52 annually at an interest rate of 8.25 percent was determined to be \$21,393.61 for the machine. The Capital Lease Asset is being depreciated on a straight line basis on 5 years. The Capital Lease Liability as of September 30, 2015 and 2014 was \$0 and \$3,984.

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Note 7: Contingent Arbitrator Liabilities

Arbitrator Liabilities

The NMB revised its policy, so that when cases are assigned to an Arbitrator the full cost of the case is obligated. The number of cases not assigned to any arbitrators September 30, 2015 and 2014 is 3,673 and 3,189 respectively. If these cases were assigned, we estimate it would cost \$2,313,990 in fiscal year 2015 and \$2,009,070 in fiscal year 2014 for arbitrators to hear and render an award on these cases.

Equal Employment Opportunity (EEO)

An EEO lawsuit alleging age and race bias for the withdrawal of an offer of employment, unspecified damages requested include back pay, forward pay, and remedial damages. An unfavorable outcome is reasonably possible and could result in a loss in the range of \$100,000.

Procurement Contract

A claim for payment under a contract for construction work that was not completed by the contractor in question. An unfavorable outcome is probable and could result in potential losses between \$75,000.

Note 8: Intragovernmental Costs and Exchange Revenue

The purpose of this classification of NMB's revenue and cost is to enable the Federal Government to provide consolidated financial statements, and not to match public and intragovernmental revenue with costs that are incurred to produce public and intragovernmental revenue. The intragovernmental costs relate to the source of goods and services purchased by NMB and are treated independently from the classification of related revenue.

PROGRAM COSTS:	2015	2014
Mediation/ADR		
Intragovernmental Costs	\$ 2,415,698	\$ 2,633,198
Public Costs	\$ 4,818,044	\$ 5,111,841
TOTAL MEDIATION/ADR	\$ 7,233,742	\$ 7,745,039
Representation		
Intragovernmental Costs	\$ 926,929	\$ 439,260
Public Costs	\$ 1,317,070	\$ 2,097,754
TOTAL REPRESENTATION	\$ 2,243,999	\$ 2,537,014
Arbitration		
Intragovernmental Costs	\$ 604,713	\$ 586,249
Public Costs	\$ 1,961,330	\$ 1,276,180
TOTAL ARBITRATION	\$ 2,566,043	\$ 1,862,429
Presidential Emergency Board		
Intragovernmental Costs	\$ 3,271	\$ 337
Public Costs	\$ 100,436	\$ 279,085
TOTAL PRESIDENTIAL EMERGENCY BOARD	\$ 103,707	\$ 279,422
TOTAL INTRAGOVERNMENTAL COSTS	\$ 3,950,611	\$ 3,659,044
TOTAL PUBLIC COSTS	\$ 8,196,880	\$ 8,764,860
TOTAL GROSS PROGRAM COSTS	\$ 12,147,491	\$ 12,423,904
Net Program Costs	\$ 12,147,491	\$ 12,423,904

**NOTES TO
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Note 9: Apportionment Categories of Obligations Incurred

Obligations incurred reported on the Statement of Budgetary Resources in 2015 and 2014 consists of the following:

DIRECT OBLIGATIONS	2015	2014
Category A	\$ 12,903,817	\$ 12,640,417
Category B	\$ 109,412	\$ 294,205
TOTAL OBLIGATIONS INCURRED	\$ 13,013,229	\$ 12,934,623

The available unobligated fund balances represent the current-period amount available for obligation or commitment.

The unavailable unobligated fund balances represent the amount of appropriations for which the period of availability for obligation has expired. These balances are available for upward adjustments of obligations incurred only during the period for which the appropriation was available for obligation or for paying claims attributable to the appropriations.

The obligated balance not yet disbursed includes accounts payable, accrued expenses, and undelivered orders that have reduced unexpended appropriations but have not yet decreased the fund balance.

Note 10: Undelivered Orders Net at the End of the Period

The amount of budgetary resources obligated for undelivered orders at September 30, 2015 and 2014 is \$2,608,959 and \$2,185,457 respectively.

Note 11: Statement of Budgetary Resources vs. Budget of the United States Government

The reconciliation as of September 30, 2014 is presented below. The 2017 Budget of the United States Government, with the Actual Column completed for FY 2015, had not been published as of the date of these financial statements. The budget is expected to be published and delivered to congress in early February 2016. The National Mediation Board Budget Appendix can be found on the OMB website (<http://www.whitehouse.gov/omb/budget>).

For the Fiscal Year Ended September 30, 2014 (In millions)

	BUDGETARY RESOURCES	OBLIGATIONS INCURRED	DISTRIBUTED OFFSETTING RECEIPTS	NET OUTLAYS
Statement of Budgetary Resources	\$ 16	\$ 13	\$ -	\$ 12
Difference - Expired Appropriations	(3)			
Difference - Spending Reduction				\$ 1
BUDGET OF THE U.S. GOVERNMENT	\$ 13	\$ 13	\$ -	\$ 13

**NOTES TO
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Note 12: Reconciliation of Net Cost of Operations (Proprietary) to Budget

RESOURCES USED TO FINANCE ACTIVITIES:	2015	2014
Budgetary Resources Obligated Obligations Incurred	\$ 13,013,229	\$ 12,934,623
Spending Authority From Offsetting Collections and Recoveries	\$ (972,997)	\$ (286,402)
Obligations Net of Offsetting Collections and Recoveries	\$ 12,040,232	\$ 12,648,221
Net Obligations	\$ 12,040,232	\$ 12,648,221
Other Resources Imputed Financing From Costs Absorbed By Others	\$ 398,515	\$ 469,577
Net Other Resources Used to Finance Activities	\$ 398,515	\$ 469,577
Total Resources Used to Finance Activities	\$ 12,438,747	\$ 13,117,798
Resources Used to Finance Items Not Part of the Net Cost of Operations:		
Change In Budgetary Resources Obligated For Goods, Services and Benefits Ordered But Not Yet Provided	\$ (423,501)	\$ (781,965)
Total Resources Used to Finance Items Not Part of Net Cost of Operations	\$ (423,501)	\$ (781,965)
Total Resources Used to Finance the Net Cost of Operations	\$ 12,015,246	\$ 12,335,833
Components of the Net Cost of Operations That Will Not Require or Generate Resources		
In the Current Period:		
Components Requiring or Generating Resources in Future Periods Increase In Annual Leave Liability	\$ 2,373	\$ 46,319
Other	\$ 1 00,000	-
Total Components of Net Cost of Operations That Will Require or Generate Resources In Future Periods	\$ 102,373	\$ 46,319
Components Not Requiring or Generating Resources Depreciation and Amortization	\$ 30,811	\$ 43,462
Other	\$ (939)	\$ (1,710)
Total Components of Net Cost of Operations That Will Not Require or Generate Resources	\$ 29,872	\$ 41,752
Total Components of Net Cost of Operations That Will Not Require or Generate Resources In The Current Period	\$ 132,245	\$ 88,071
NET COST OF OPERATIONS	\$ 12,147,491	\$ 12,423,904

MANAGEMENT ASSURANCES

This section provides information on NMB's compliance with the Federal Managers' Financial Integrity Act (FMFIA) and the Improper Payments Information Act, as well as other management information, initiatives, and issues. FMFIA requires that agencies establish controls that provide reasonable assurance that

- obligations and costs comply with applicable law;
- assets are safeguarded from waste, loss, unauthorized use, or misappropriation, and;
- revenue and expenditures are properly recorded and accounted .

It also requires the Chairman to provide an assurance statement on the adequacy of management controls.

FMFIA ASSURANCE STATEMENT

The NMB's management is responsible for establishing and maintaining effective internal controls that meet the obligations of FMFIA within their areas of responsibility. Based on the directors' knowledge of daily operations and other management reviews, the NMB is able to provide reasonable assurance that, as of September 30, 2015, its internal controls over the effectiveness and efficiency of operations were compliant with applicable laws and regulations, and no material weaknesses were found..



Nicholas Geale

Chairman
November 16, 2015

IMPROPER PAYMENTS INFORMATION ACT

The NMB is considered to be at low risk for improper payments since the functional payment areas are limited to traveler reimbursement, commercial vendors for supplies and services, and the payroll Electronic Funds Transfer (EFT) payments. The NMB does not administer any entitlement, grant, or loan programs.

FEDERAL TRAVEL CARD PROGRAM

The NMB is a full participant in the Federal Travel Card Program, and has issued travel credit cards to employees whose official duties may require frequent travel. The Office of Administration (OA) along with the Bureau of Fiscal Services (BFS) routinely monitors each employee's use of the travel card to ensure that charge activities are restricted to official government travel-related expenses, and that the employee is paying his/her credit card bills on-time. BFS processes all travel-related expenses on behalf of the NMB. The BFS will reimburse all travel-related expenses within an average of 5 business days after receipt of their completed travel voucher which is audited and approved by the OA. All NMB Travel Credit card holders are required to complete the required Government Travel credit card training. In addition, NMB requires all travel card holders to complete GSA Travel Basic training on an annual basis. All NMB Management officials are required to complete training in GSA Travel Basic, Attending a Conference, Approval Officials Responsibility and Federal Travel Regulations (FTR) In-Depth on an annual basis.

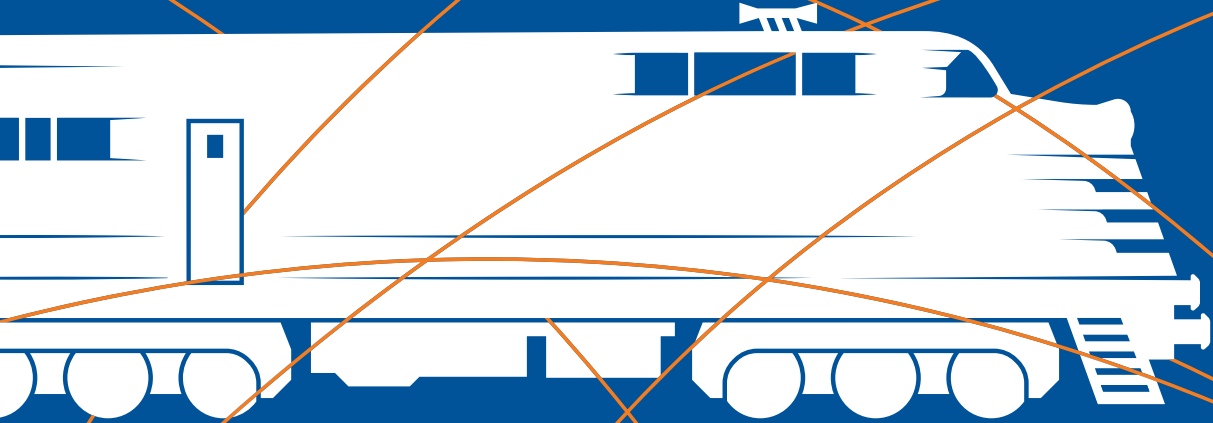
FEDERAL PURCHASE CARD PROGRAM

During this period, the NMB continued its use of the U .S. Government's purchase card program to expedite the purchase of authorized supplies and services. The NMB has an internal process that requires an approved purchase request form for all requests. This purchase request is reviewed and approved by the office director before being submitted to the OA for action. Prior to the approval by Assistant Chief of Staff, Administration the purchase request is verified to confirm that the request does not exceed the micro purchase limit. The OA staff determines the vendor to procure the requested goods and/or services.

APPENDIX

78 Glossary

81 Acronyms



GLOSSARY

These definitions are provided for general understanding only. They do not provide definitive definition regarding any matter before the Board and are not to be construed as legal definitions that may be cited in any administrative, legal or arbitral proceeding.

Act The Railway Labor Act

Agency The National Mediation Board

Alternative Dispute Resolution (ADR)

ADR is a process for resolving disputes outside of the judicial system of law. In the venue of the NMB, ADR is the facilitation of interest-based or mutual-interest negotiations and grievance mediation.

Amendable Contract Under the Railway Labor Act, collective bargaining agreements become subject-to-change on a specified date, rather than expiring as agreements do under the National Labor Relations Act.

Annual Report NMB's Annual Performance and Accountability Report

Arbitration A type of dispute resolution process where an arbitrator renders a decision, which usually can be appealed judicially only on a very narrow basis such as fraud

Arbitration Forum A committee formed of officials of railroads, rail unions, arbitrators and the NMB for the purpose of improving the processing of railroad employee grievances

Board May be one of the following, depending upon the context in which it appears:

- National Mediation Board (NMB)
- Presidential Emergency Board (PEB)
- National Railroad Adjustment Board (NRAB)
- Special Board of Adjustment (SBA)
- Public Law Board (PLB)
- System Board of Adjustment (SBA)

Carrier An airline or railroad as defined by sections 151 and 181 of the Railway Labor Act

CFO Chief Financial Officer

Class I A category of the largest U.S. railroads as defined by the Surface Transportation Board

Collective Bargaining Agreement A labor contract between a union and a carrier

Cooling Off Period A 30-day period of time preceding the right of parties to a collective bargaining dispute to engage in economic "self help" under the RLA

Craft or Class A group of employees deemed by the NMB to share a community of work and interest for the purpose of collective bargaining under the RLA

Direct Negotiations Negotiations between the parties to a collective bargaining dispute before or apart from NMB mediation

E-book A book available via the Internet such as NMB's Annual Performance and Accountability Report

E-business The conduct of business on the Internet

E-filing An electronic method for submitting documents

E-Verify A system for online verification

Facilitation A process where a neutral helps the parties in a collective bargaining or grievance dispute use ADR problem-solving methods such as interest-based bargaining or grievance mediation

Facilitated Problem Solving This approach to bargaining utilizes a process of problem identification and discussion to reach resolution of issues rather than an exchange of proposals.

Grievances Complaints of employees or unions arising out of the application or interpretation of collective bargaining agreements

Grievance Arbitration A method of resolving grievances whereby an arbitrator determines the outcome

Grievance Mediation In the venue of the NMB, using mediation as an alternative to arbitration for resolving grievances

Impasse In mediation under the RLA, an impasse is when the NMB determines that further mediation will not resolve a collective bargaining dispute.

GLOSSARY

Interest Arbitration A process, under the RLA, to establish the terms of a new or modified collective bargaining agreement through arbitration, rather than through negotiations

Interest Based Negotiation A type of negotiations where the parties collaboratively focus on finding solutions to underlying needs or concerns of each party (i.e., the whys) instead of adversatively negotiating specific positions

Internet Voting A web-based balloting option that supplements telephone electronic voting in representation elections

Laboratory Conditions Conditions to a representation dispute which ensure the independence of labor and management for the purpose of self-organization and the right of employees to freely determine whether they wish to be represented, or not, for the purpose of collective bargaining

Legacy Carriers A term applied to traditional major, hub-based airlines versus regional or point-to-point carriers

Major Disputes Disputes between management and a union pertaining to collective bargaining as opposed to grievance disputes known as Minor Disputes

Mediation A type of dispute resolution process where a neutral (i.e., a mediator) facilitates agreement between the parties to a collective bargaining dispute, vis-a-vis imposing a settlement on the parties via arbitration

Minor Disputes Grievances of employees or unions arising out of the application or interpretation of collective bargaining agreements as opposed to collective bargaining disputes known as Major Disputes

National Handling Mediation of a collective bargaining dispute where management of several railroads have chosen to negotiate collectively on a national basis

National Labor Relations Act (NLRA) Grants most private sector workers the right to organize and bargain collectively. Air and rail employees, however, are covered by the Railway Labor Act (RLA) rather than the NLRA.

National Railroad Adjustment Board One of three types of tribunals under the RLA for resolving railroad grievances (also see Special Boards of Adjustment and Public Law Boards). NRAB cases are resolved by the carrier and union members with or without a neutral.

NMB Lyceum The NMB's open-resource, distance-learning website established to provide NMB staff, labor relations practitioners and the public with training programs relevant to the National Mediation Board and the Railway Labor Act.

Ombudsman An official of the NMB that receives and addresses problems or complaints of employees or contractors regarding actions of agency managers or staff

Online Arbitration An Arbitration forum and a form of Online Dispute Resolution where hearings are held in virtual, web-based meeting rooms with live video

Online Dispute Resolution The application of Internet or web-based technology to resolving disputes

Open Government Directive President Obama's Directive of December 8, 2009, requiring Federal executive departments and agencies to take specific actions to implement the principles of Transparency, Participation, and Collaboration

Presidential Emergency Board A Board established under the Railway Labor Act by the U.S. President to investigate and report on an airline or railroad labor dispute

Proffer of Arbitration The step in the process of resolving collective bargaining disputes under the RLA, which follows a determination of impasse by the NMB, whereby the NMB offers voluntary, binding arbitration to the parties as a method for resolving the dispute

Public Interest Meetings Under the RLA, the NMB can intervene in an active collective bargaining dispute at any time in the interest of the general public. Usually, one or both parties to a dispute requests the mediation services of the NMB.

Public Law Boards (PLB) One of three types of tribunals under the RLA for resolving railroad grievances (also see National Railroad Adjustment Board and Special Boards of Adjustment)

Railway Labor Act (RLA) A federal law that grants interstate airline and railroad employees the right to organize and bargain collectively. Other private industry employees are covered by the National Labor Relations Act (NLRA).

Representation Dispute A situation on an airline or railroad where employees in a specific, carrier-wide workgroup seek to organize for the purpose of collectively bargaining with their employer regarding matters of wages, benefits and working conditions.

GLOSSARY

Section 3 Section 153 of the RLA pertaining to the National Railroad Adjustment Board

Section 3 Committee A group of representatives from freight, regional and commuter railroads and representatives of major rail unions, whose goal is the improvement of resolution of grievances

Section 6 Section 156 of the RLA pertaining to the changing of wages, rules, hours and working conditions

Section 7 Section 157 of the RLA pertaining to Arbitration

Section 9 Section 159A of the RLA pertaining to Presidential Emergency Boards for certain publicly-funded and operated commuter railroads

Section 10 Section 160 of the RLA pertaining to Presidential Emergency Boards for airlines and railroads other than those covered by Section 9a

Self Help The right of a party to a collective bargaining dispute to unilaterally act in its own best interest. A carrier, for example, may lock disputing employees out of the workplace or implement changes in pay, rules and working conditions; and the union, for example, may work specifically as required by its collective bargaining agreement or strike

Showing-of-Interest In a representation dispute, employees in a Craft or Class must indicate an interest in being represented for the purpose of collective bargaining by signing authorization cards which are submitted to the NMB by the representative/s of their choosing.

Special Boards of Adjustment (SBA)

One of three types of tribunals under the RLA for resolving railroad grievances (also see National Railroad Adjustment Board and Public Law Boards)

Status Quo Situations under the RLA in either collective bargaining or representation disputes where existing pay rates, rules and working conditions cannot be changed unilaterally, pending the resolution of the dispute in question.

Strike A work stoppage action initiated by a union.

System Boards of Adjustment (SBA)

An arbitration board pursuant to an agreement by the parties for resolving airline grievances.

System-wide Under the RLA, a craft or class applies anywhere an airline or railroad operates in the United States

Telephone Electronic Voting (TEV)

A paperless balloting process using telephones instead of traditional paper ballots

Work Stoppage An interruption to the operations of an airline or railroad

ACRONYMS

AA	American Airlines
ABA	American Bar Association
ABX	Airborne Express
A-case	An NMB designation for a Mediation case
ACR	Association for Conflict Resolution
ACRE	Association of Commuter Rail Employees
ADR	Alternative Dispute Resolution
ADRS	Alternative Dispute Resolution Services
AE	American Eagle
AFA	Association of Flight Attendants
AFL-CIO	American Federation of Labor and Congress of Industrial Organizations
AFR	Air Freight Representatives
AFSCME	American Federation of State, County and Municipal Employees
AIRCON	Airline Industrial Relations Conference
ALI-ABA	American Law Institute-American Bar Association
ALPA	Air Line Pilots Association
AMFA	Aircraft Mechanics Fraternal Association
AMTRAK	National Railroad Passenger Corporation (NRPC)
AMTTI	Air Tran Maintenance Technical Training Instructors
APA	Allied Pilots Association
APFA	Association of Professional Flight Attendants
ARASA	America Railway and Airway Supervisors Association
ARB	Arbitration
ATDA	American Train Dispatchers Association
ATDD	American Train Dispatchers Department (BLET)
AVG	Average
BCW	Brotherhood of Communication Workers
BHPP	Brotherhood of Hoggers and Pin-Pullers
BLET	Brotherhood of Locomotive Engineers and Trainmen
BMWE	Brotherhood of Maintenance of Way Employees [Employees]
BMWED	Brotherhood of Maintenance of Way Employees Division
BNSF	Burlington Northern and Santa Fe
BPD	Bureau of Public Debt
BRC	Brotherhood of Railway Carmen
BRS	Brotherhood of Railroad Signalmen
CA	Confidential Assistant
CBA	Collective Bargaining Agreement
CFO	Chief Financial Officer
CGE	Concur Government Edition Travel Services
CIO	Chief Information Officer
CLE	Continuing Legal Education
CMI	Continental Micronesia
COOP	Continuity of Operations Plan
COS	Chief of Staff
CP	Canadian Pacific
CRU	Coalition of Rail Unions
CSR	Customer Service Representative
CSX / CSXT	CSX Transportation, Inc.
CWA	Communication Workers of America
D&H	Delaware and Hudson
DC	District of Columbia
DEN	Denver International Airport
DOT	Department of Transportation
EO	Executive Order
F-case	An ADR designation for Facilitation cases (F and F-ODR)
F&O	Firemen & Oilers

ACRONYMS

FAA	Federal Aviation Administration
FAA ACT	Federal Aviation Administration Modernization and Reform Act of 2012
FAR	Federal Acquisition Regulation
FFMIA	Federal Financial Management Improvement Act
FISMA	Federal Information Security Management Act
FMFIA	Federal Managers' Financial Integrity Act of 1982
FOIA	Freedom of Information Act
FPS	Facilitative Problem Solving
FUI	Findings Upon Investigation
FY	Fiscal Year
GAAP	Generally Accepted Accounting Principles
GAO	Government Accountability Office
GC	General Counsel
GLOWS	Accounting System Used by NMB
GM	Grievance Mediation
GM-case	An ADR designation for Grievance Mediation cases (GM and GM-ODR)
GPRA	Government Performance and Results Act
GSA	General Services Administration
HELP	Health, Education, Labor and Pensions
HERE	Hotel Employees and Restaurant Employees International Union
IAM	International Association of Machinists & Aerospace Workers
IAMAW	International Association of Machinists & Aerospace Workers
IBB	International Brotherhood of Blacksmith & Boilers
IBEW	International Brotherhood of Electrical Workers
IBT	International Brotherhood of Teamsters
IFPTE	International Federation of Professional & Technical Engineers
IHB	Indiana Harbor Belt
JD	Juris Doctor (Doctor of Law)
MBCR	Massachusetts Bay Commuter Railroad
MD	Maryland
MI	Michigan
MOW	Maintenance of Way
MPI	Mileage Plus, Inc.
MRL	Montana Rail Link
NA	Not Applicable
NCCC	National Carrier's Conference Committee
NCFO	National Conference of Firemen and Oilers
NJASAP	NetJets Association of Shared Aircraft Pilots
NLRA	National Labor Relations Act
NLRB	National Labor Relations Board
NMB	National Mediation Board
NO&GCTU	New Orleans & Gulf Coast Trainman's Union
NPRM	Notice of Public Rulemaking
NRAB	National Railroad Adjustment Board
NRLC	National Railway Labor Conference
NRPC	National Railroad Passenger Corporation (AMTRAK)
OA	Office of Administration
OAS	Office of Arbitration Services
ODR	Online Dispute Resolution
OLA	Office of Legal Affairs
OMAS	Office of Mediation and ADR Services
OMB	Office of Management and Budget

OP	Outreach and Promotion
OP-case	An ADR designation for Outreach OP and OP-ODR cases
OPEIU	Office and Professional Employees International Union
OPM	Office of Personnel Management
ORD	Chicago O'Hare Int'l Airport
OVC	Online Video Conferencing
PAR	Pan Am Railways
PATH	Port Authority Trans Hudson
PEB	Presidential Emergency Board
PIN	Personal Identification Number
PLB	Public Law Board
POA&M	Plans of Action and Milestones
PRISM	A BPD Procurement System
PRLBC	Passenger Rail Labor Bargaining Coalition
PSA	PSA Airlines
R-case	An NMB designation for a Representation case
RDM	Records and Document Management
RIM	Records and Information Management
RLA	Railway Labor Act
RLBC	Rail Labor Bargaining Coalition
RR	Railroad
SBA	Special Board of Adjustment or System Board of Adjustment
SEIU	Service Employees Int'l Union
SEPTA	Southeastern Pennsylvania Transportation Authority
SFFAC	Statements of Federal Financial Accounting Concepts
SIU	Seafarers International Union of North America
SMART	Merger of SMWIA and UTU
SMWIA	Sheet Metal Workers International Union
SOP	Standard Operating Procedures
SORS	Station Operations Representatives
T-case	An ADR designation for Training cases (T and T-ODR)
TCU/TCIU	Transportation Communications International Union
TEV	Telephone Electronic Voting
TWA	Trans World Airlines
TWU	Transport Workers Union of America
UAL	United Air Lines
UCH	United Continental Holdings
UP	Union Pacific Railroad
USA	United States of America
USA	United Steelworkers of America
USAOA	United States Aircrew Officers Association
USWW	United Service Workers – West (SEIU)
UTU	United Transportation Union
VAPA	Virgin America Pilots Association
VIN	Voter Identification Number
WDI	Withdrawn During Investigation
YDM	Yardmasters



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