

# NMB Grievance Resolution Services

## Overview

In short, the NMB has no authority to investigate or remedy employee grievances against an airline or railroad employer. A labor representative, such as a labor union, certified by the NMB is the sole bargaining representative of the certified group of employees (craft or class) as to wages, hours, benefits, and working conditions. The grievance procedure in the carrier/union collective-bargaining agreement (contract) is the appropriate channel for union-represented employees in the airlines and railroads to follow. Employees, not represented for the purpose of collective-bargaining by a labor representative, are directly subject to company policy and procedures.

When a carrier and union are unable to resolve a grievance, they may pursue the issues through arbitration. When a grievance is progressed to arbitration, airline parties pay for such arbitration themselves, whereas in the rail industry, the NMB or the parties may pay for the services of an arbitrator. In either case, the NMB offers Grievance Mediation as an alternative to Grievance Arbitration.

<b>NMB Services &gt;&gt;&gt;</b>	<b>Mediation of Grievances</b>	<b>Arbitration of Grievances</b>	<b>Training</b>	<b>Online Dispute Resolution Tools</b>
<b>Airline Employees with a Labor Representative</b>	YES	no	YES	YES
<b>Railroad Employees with a Labor Representative</b>	YES	YES	YES	YES
<b>Airline or Railroad Employees without a Labor Representative</b>	no	no	no	no
<b>Employees of Other Private Industries</b>	no	no	no	no
<b>Employees of Government Agencies</b>	no	no	no	no

## Mediation of Grievances

The NMB Grievance Mediation program helps the parties resolve grievance disputes through Mediation in a manner that is efficient, timely, informal and binding, without having to go to arbitration. Arbitration remains available for grievances not resolved in Mediation. For more information, contact us. For training see the NMB Lyceum Training Center.

In addition to statutory Mediation and Grievance Arbitration services noted above, the NMB provides voluntary Alternative Dispute Resolution (ADR) services to help the parties resolve Collective-Bargaining disputes and resolve Grievance Cases as an alternative to Grievance Arbitration. 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.

Click [here](#) for more information.

## Arbitration of Grievances

Grievance Arbitration is a process for resolving grievances regarding the interpretation or application of an existing collective bargaining agreement. Grievances, known as “minor disputes” under the RLA, must be handled through Grievance Arbitration if not otherwise resolved, and cannot be used by the parties to trigger a work-stoppage or other self-help actions.

Grievance Arbitration in the airline industry is negotiable and paid for by the parties. In the railroad industry, the NMB funds Grievance Arbitration cases of the National Railroad Adjustment Board, Public Law Boards and Special Boards of Adjustment. The NMB also furnishes panels of prospective arbitrators for the parties’ selection in both the airline and railroad industries. The NMB does not, however, schedule or conduct either airline or railroad arbitration cases. Grievance Arbitration awards (decisions) under the RLA are final and binding with very limited grounds for judicial review.

Click [here](#) for more information.

## Training

### Grievance Mediation Training

The NMB offers both Face-to-Face and Online Training courses.

The Face-to-Face version is a one-day course designed to assist parties as they prepare for grievance mediation. It provides parties with the tools to help resolve grievances in a manner that is efficient, timely, informal and binding, without having to go to arbitration. If no agreement is reached, the parties are free to pursue the grievance through arbitration. Online-wise, the NMB offers a set of videos which discusses and demonstrates the use of Grievance Mediation.

Check out the [NMB Lyceum Training Center](#) for more information regarding Grievance mediation training.

### Other Training

The Lyceum also has information regarding training for Online Arbitration and Conferencing as well as for Arbitrator Workspaces.

### Contact Information

For more information, [contact us](#).

## ODR Tools

The NMB adds technology to enhance its mix of disputes resolution avenues. This online technology is generally referred to as Online Dispute Resolution or ODR. The NMB offers, for example:

### Live Web-Based Conferencing with Video for Online Arbitration or other Labor Relations Meetings

The NMB has acquired licenses for WebEx, a web-based video conferencing program that allows multiple users, from multiple locations, to see each other, hear each other, and share documents on screen in live meetings. WebEx is available from any computer able to access the Internet, and the video function is available with a very inexpensive web camera. In some circumstances, the NMB can even temporarily supply a camera to parties for online use. Using this system, it is possible for all participants to see documents posted by one party, and it is even possible for parties online to jointly edit contract language.

### Online Research

The NMB has made available an online research tool that allows parties to find and manage information for grievance mediation, arbitration, and bargaining. The NMB Knowledge Store contains an archive of arbitration awards, representation awards, airline and railroad contracts, union constitutions and by-laws, PEB reports, and other information related to the NMB. It is available through the NMB web site to any user.

### **More Information**

For more ODR information, [contact us](#).