

(6) The examination of witnesses was confined to major issues and matters directly pertinent to the more important specific proposals and evidence.

(7) Throughout the hearing, the parties made themselves available to the Board for numerous informal discussions; this cooperation markedly assisted the Board in identifying and clarifying the issues and the positions of the parties.

(8) At the conclusion of the hearing, the Chairman asked the parties to prepare a summation and brief in the form of proposed findings and recommendations by the Board. In getting at the essence of each proposal and narrowing the areas of difference between the parties, this device proved invaluable.

(9) During the hearings and throughout the Board's deliberations, a representative of the Department of Labor was in constant attendance as liaison between the Board, the parties, and others, and among the members of the Board. This service was invaluable.

#### *Furthering Negotiation by the Parties*

As the case developed it became apparent that no real bargaining had actually taken place between the parties before their appearance before the Board. We believe this is generally the case in proceedings before Emergency Boards. In this regard, Boards appointed under the Railway Labor Act face a different situation from those appointed under the Taft-Hartley Act; under the latter, bargaining has taken place and the parties come to the public tribunal only with the hard core of their dispute. In transportation cases, experience shows that the parties begin to negotiate only after an Emergency Board has been appointed, and often only after a report has been submitted to the President. We believe that continuation of this practice will defeat other attempts to improve labor relations in the railroad industry. The Board, therefore, recommends for consideration by appropriate authorities the following proposals designed to expedite the settlement of disputes under the Railway Labor Act.

(1) There should be established a longer period of statutory restraint subsequent to the submission of an Emergency Board's report in order to give the parties additional time to negotiate a settlement. The Board notes that under the Taft-Hartley Act, the parties have a period of 80 days after the Board report is submitted to the President.

(2) The President should have the power to extend the initial period of statutory restraint for an additional 30 days if, in his judgment (a) the parties are making substantial progress toward a settlement, or (b) important developments are likely to occur within the additional 30-day period that would materially influence a settlement.