

My question is: If the committee should see fit against your recommendation to pass out House Joint Resolution 559, do you feel that it would be helpful to take that 30-day period and insert it before the period of the findings of the Special Mediation Board, in other words, to have 60 days at the beginning and then the hearing and then to put the findings into effect?

Mr. SCHOENE. That might be a more effective utilization of the time, but I think the difficulty that you point to, and which I pointed out in my statement, is more extensive than that. I think the difficulty runs to the whole 2-year period that the determinations by the Board would be in effect, because once those recommendations are put into effect one side or the other is likely to feel that it is a better deal than can be negotiated. You will have a very difficult time getting agreement on any other terms.

I think that will go for the whole 2-year period.

Mr. HARVEY. I would concur with you wholeheartedly.

My question was, Do you think the 30-day period before the Special Board begins to hold hearings is adequate or would that additional 30-day period, making it 60 days before the hearing, be better, in your judgment?

Mr. SCHOENE. I say I think it might be a better utilization of the time.

Mr. HARVEY. In other words, if there is going to be any true negotiation or bargaining, it is going to take place before the hearings occur, under this bill; is that correct?

Mr. SCHOENE. I think so. That is my judgment.

Mr. HARVEY. So in your judgment it might be useful to take the final 30-day period and put it before the hearing, giving greater time for bargaining before the hearings are held.

Mr. SCHOENE. I think that is probably so.

Mr. HARVEY. Thank you.

On page 8 of your statement, Mr. Schoene, you pointed out very validly, I think, that House Joint Resolution 559 fails to set up any procedures for the handling of disputes and in carrying out the findings of the Board under this particular resolution.

I think we would welcome some amendment to that which would provide for the handling of disputes and carrying the findings out. In other words, a continuation of either the ability to negotiation or further arbitration under any circumstances.

Mr. SCHOENE. That was the experience under Public Law 88-108.

Mr. HARVEY. That is the one you said you have just found out now that they should have been negotiating.

Mr. SCHOENE. That is right.

Mr. HARVEY. My question is, You would welcome the Congress spelling out that fact in this particular legislation right now?

Mr. SCHOENE. I think it would be an improvement. There were almost 300 requests for interpretations, as I recall, under Public Law 88-108. There were that many disputes as to what the award meant.

Pursuant to the procedures of the Railway Labor Act that were made applicable to that arbitration, the Board continued to make interpretations of its award. Probably inasmuch as this is a rate-of-pay question, there wouldn't be as many arguments, undoubtedly, about what they meant as there were in that case.