

RAILROAD LABOR DISPUTE

PROCEDURES UNDER H. R. 5638

MEDIATION BOARD

Reports if a dispute exists which threatens "substantially to interrupt interstate or foreign commerce to a degree such as to deprive any section of the country of essential transportation service."

PRESIDENT

"thereupon" appoints an Emergency Board or announces intent to establish a Special Board.

EMERGENCY BOARD

- 1) Size & membership is choice of President;
- 2) Board must report within 60-120 days of appointment;
- 3) If instructed by President, Board report will contain findings of fact and/or recommendations for settlement.

PRESIDENT

Holds the Emergency Board report 30 days, cooling-off.
AFTER 30 days, President may do any or all or none of the following:

A	B	C
Send the Emergency Board report to Congress, with recommendations for Congressional action.	Invoke by Executive Order for a period of up to 120 days, the recommendations of Emergency Board.	Announce intent to establish a Special Board. See above.

SPECIAL BOARD

When President announces intent to establish Special Board:

- 1) Parties have 10 days to select members and procedures. If they do not, President performs this function;
- 2) Board is composed of 5 members: 3 public, one labor, one Management;
- 3) Board has from 60-120 days from appointment, to report;
- 4) Board has power to make a settlement binding on the parties for a period of its choice, but less than 2 years.

Mr. PICKLE. Mr. Greenough, I know also that these negotiations and bargaining have been going on for some time. We all hoped over the years that section 10 would set up the procedure to settle these disputes. It just hasn't worked that way.

It seems to me that in recent years all the major disputes are being gradually submitted to the Congress. It is my understanding that in the Senate hearings the Department of Labor had submitted a statement showing the history of the various Presidentially appointed emergency boards and what action was taken on those boards, both where the railroads and airlines were able to get together.

Are you familiar with the report that the Department of Labor submitted to the Senate?

Mr. GREENOUGH. I have not seen it.