considering whether or not to accept the NMB’s proffer, it is anticipated that we will unanimously reject it in the coming days. At any point during the aforementioned 30-day cooling off period, President Biden may appoint a Presidential Emergency Board (PEB), which typically consists of three to five members. The PEB will conduct a hearing and issue a recommendation regarding settlement of the dispute. The issuance of the PEB recommendation starts another 30-day cooling off period. During this second cooling-off period, the parties may choose to accept or reject the PEB’s recommendation. If either party rejects the PEB’s recommendation, or if the cooling off period expires and the dispute has not been resolved, either party may engage in self-help. If this happens, it is expected that Congress will intervene and end self-help by passing legislation to resolve the dispute. To address this possibility, we have already mobilized our Legislative departments to get the message to our elected representatives. In addition to these efforts, we are urging our members to begin reaching out to their U.S. Senators and House Representatives to voice their support for a labor-friendly PEB, and if necessary, labor-friendly legislation to bring this round of bargaining to a successful conclusion. The time to make our collective voices heard is now!”

For more coverage and analysis on this see Page 6. Please go to www.railroadworkersunited.org and subscribe to our weekly newsletter for updates on negotiations and other industry news.

All 12 rail unions are now negotiating as one unified entity in this current round of national bargaining. Supporters of RWU have waited for a long time for such a step in the right direction.

As this issue goes to press the United Rail Unions, comprised of the Coordinated Bargaining Coalition and the BMWED/SMART Mechanical Coalition, received a proffer of arbitration from the National Mediation Board (NMB), pursuant to Section 5 First of the Railway Labor Act. The following is an excerpt from a statement by the United Rail Unions, issued on June 15, 2022:

“As previously stated, all of the Carriers’ proposals to date serve as an insult to our collective membership. These essential employees carried the railroads to their record profits throughout the last several years. As much as the Rail Unions would have preferred to reach a voluntary settlement, this has become the only viable path to reaching a satisfactory conclusion. The Chiefs of all 12 Rail Unions wish to thank the NMB Members and the assigned Mediators for their efforts in trying to bring us to a voluntary agreement, and for their recognition that such an agreement was not possible under the current circumstances.

With regard to the proffer of arbitration, the NMB urged the parties to enter into an agreement to resolve the dispute via binding arbitration in accordance with Section 8 of the Railway Labor Act. If either party rejects the NMB’s proffer, or fails to respond prior to the deadline of 5:00 PM (EDT) on June 16, 2022, the parties will enter a 30-day “cooling off” period where the status quo is maintained. While each Rail Union has its own process for considering whether or not to accept the NMB’s proffer, it is anticipated that we will unanimously reject it in the coming days.

At any point during the aforementioned 30-day cooling off period, President Biden may appoint a Presidential Emergency Board (PEB), which typically consists of three to five members. The PEB will conduct a hearing and issue a recommendation regarding settlement of the dispute. The issuance of the PEB recommendation starts another 30-day cooling off period.

During this second cooling-off period, the parties may choose to accept or reject the PEB’s recommendation. If either party rejects the PEB’s recommendation, or if the cooling off period expires and the dispute has not been resolved, either party may engage in self-help.

If this happens, it is expected that Congress will intervene and end self-help by passing legislation to resolve the dispute. To address this possibility, we have already mobilized our Legislative departments to get the message to our elected representatives. In addition to these efforts, we are urging our members to begin reaching out to their U.S. Senators and House Representatives to voice their support for a labor-friendly PEB, and if necessary, labor-friendly legislation to bring this round of bargaining to a successful conclusion. The time to make our collective voices heard is now!”

For more coverage and analysis on this see Page 6. Please go to www.railroadworkersunited.org and subscribe to our weekly newsletter for updates on negotiations and other industry news.