



December 8, 2009

## NMB Rule Change Has Broad Congressional Support

The National Mediation Board's (NMB) proposed change to its current election process is gaining wide bi-partisan support in Congress. On December 7, 2009 James Oberstar (D-MN) Chairman of the House Committee on Transportation and Infrastructure and George Miller (D-CA) Chairman of the House Committee on Education and Labor led 178 Democratic members of the House of Representatives in sending the NMB a letter in support of the agency's proposed rule change that would end its practice of counting eligible voters who do not cast a ballot as voting against unionization.

"We believe such an election system is inappropriate for any industry," wrote the House Democrats. "The process is all the more flawed in a setting where voter rolls include significant numbers of furloughed employees who are not in regular communication with other voters."

Thirteen House Republicans sent the NMB their own letter of support, stating "We believe the Board is granted broad discretion in setting its election policies and procedures as reinforced by the Supreme Court, and is free to amend its Representation Manual as it has done throughout its history. We believe it is a fundamental matter of fairness for workers governed by the Railway Labor Act to have the same opportunity to determine the question of representation through the same democratic method practiced in other industries and throughout our society."

Dozens of United States Senators also agree with the Machinists Union that now is the time to ensure workers have a fair chance to express their true feelings in union representation elections. Senators Tom Harkin (D-IA), Chairman of the Senate Health, Education, Labor and Pensions Committee, Daniel Inouye (D-HI), Chairman of the Appropriations Committee and John Rockefeller (D-WY), Chairman of the Commerce Committee and 36 other Senators on December 7, 2009 sent a letter to the NMB in support of their proposed change.

"Requiring affirmative votes of an absolute majority of eligible employees in order to recognize a union treats rail and aviation workers differently than employees covered by the National Labor Relations Act and U.S. citizens voting for government officials," wrote the Senators. "We strongly believe that the same democratic process that governs other elections – requiring a simple majority of those who cast a ballot – should be extended to workers covered by the Railway Labor Act.... Aviation and rail workers should not be subject to a different and more onerous process when deciding whether to choose union representation. We strongly encourage the NMB to use its broad discretion in setting its election policies to amend its election procedures to allow a majority of those voting to choose union representation."

All three letters with their signatories are available at [www.goiam.org/transportation](http://www.goiam.org/transportation).