



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

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35 NMB No. 68

September 11, 2008

NOTICE

TO: All Carriers and Labor Organizations

FROM: Mary L. Johnson *MLJ*  
General Counsel

SUBJECT: National Mediation Board's Proposed Revisions to its  
Representation Manual

On July 15, 2008, the National Mediation Board (Board) proposed revisions to certain sections of the Board's Representation Manual (Manual) as set forth in 35 NMB 235 (July 15, 2008) and clarified in 35 NMB 239 (July 31, 2008). The Board's intent was to clarify existing policy and clear up some perceived confusion among Board constituents. The Board received 17 comments from a variety of representatives of labor, management, the United States Congress, and other organizations. It is clear from the Board's review of these comments that the Board's proposals have engendered more ambiguity than clarification. Due to the concerns and confusion expressed by the commenting parties, the Board has decided that it will not implement the Manual revision proposals at the current time. The Board will continue to review and study these proposals and all of the comments, and the Board may decide to issue new proposals for comment at some point in the future. In the meantime, the Board will continue to apply its long-standing precedent and policies, including its twenty year history of not allowing the use of authorization cards for certification where all participants have not agreed in writing.

By direction of the NATIONAL MEDIATION BOARD.\*

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\* Member Hoglander does not participate in this decision.