



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

40 NMB No. 43

March 11, 2013

CORRECTED VERSION
NOTICE

TO: All Carriers and Labor Organizations

FROM: Mary L. Johnson, General Counsel

RE: Changes to Board's Procedures/Modified Voting Instructions

This Notice addresses changes to the National Mediation Board's (NMB or Board) procedures. It addresses a change to the Board's voting process and changes to the Board's procedures as reflected by its May 15, 2012 rulemaking and final rule effective December 21, 2012. See Representation Procedures and Rulemaking Authority, 77 Fed. Reg. 75,543 (Dec. 21, 2012) (29 C.F.R § 1206). This Notice also addresses an additional requirement related to the List of Potential Eligible Voters.

Voting System

Effective March 25, 2013, the Board's voting system for representation elections will be modified so that voters cast their vote using one confidential Access Code, instead of a Voter Identification Number (VIN) and a Personal Identification Number (PIN). The Access Code is a randomly generated twelve digit confidential number known only to the voter and to the NMB agents. This change simplifies the voting process while maintaining the highest levels of confidentiality and security. This modification to the Board's election procedures will apply to all elections commencing on or after **March 25, 2013**.

Board's Procedures

In response to amendments to the Railway Labor Act* in the Federal Aviation Administration Modernization Reform Act of 2012, Public Law 112-0095, the Board amended its regulations pertaining to representation elections and run-off elections. NMB Rule 1206.2 changed the showing of interest

* 45 U.S.C. § 151, *et seq.*

requirements for all applicants. This change is reflected in the Board's Representation Manual (Manual) Sections 3.601 and 19.601. Section 19.601 is also amended to provide that organizations have additional time to submit evidence of or to supplement the showing of interest. NMB Rule 1206.1 changed the procedures for run-off elections and these are reflected in Manual Section 16.0. Section 9.212 is modified to clarify the Board's preponderance procedures.

List of Potential Eligible Voters

Manual Section 2.4 is amended to require a carrier attestation of the accuracy of the List of Potential Eligible Voters.

Attached are a sample revised Notice and Instructions, and the updated Manual.