



MEMORANDUM

TO: Railroad Neutrals
Rail Carriers and Labor Organizations

FROM: Roland Watkins *Roland Watkins*
Director, Arbitration Services

DATE: August 14, 2012

RE: Procedure for filing and acceptance of cases

Pursuant to its fiscal authority under the Railway Labor Act, the National Mediation Board (NMB) will exercise its discretion to prioritize funding to ensure that there is an efficient use of funds in accordance with the applicable laws governing expenditures. In accordance with decisions by the General Accounting Office and the NMB's outside audit firm, the NMB must have the funding to cover all cases which have been assigned to arbitrators.

This notice is a clarification of my memorandum dated July 18, 2012.

Effective immediately, the NMB will acknowledge three types of Section 3 cases: 1) cases about which the NMB has been notified and for which the NMB has acknowledged notification (these cases are recorded in the NMB's case tracking system without reference to a neutral); 2) cases moved by the parties into an active status, for which an arbitrator has been assigned, and for which the NMB has obligated funds; and, 3) cases in progress (where an arbitrator has been granted permission to hear and/or write awards).

No later than the first of the month before a case is to be heard, the parties must notify the NMB that cases are to be moved into active status: no later than the 20th of the month before cases are to be heard, neutrals must request permission to work on the cases. For example, a case must be placed in active status no later than August 1, and request for work must be made no later than August 20, for work to be done in September. Sample letter for the notification is located on the NMB's web site at www.nmb.gov.

Cases not in active status will not be considered for approved work. Cases will be approved for movement to active status based upon available funds and the volume of requests.

