



NATIONAL MEDIATION BOARD
WASHINGTON, D.C. 20572

(202) 692-5000

June 17, 2022

SENT VIA E-MAIL & OVERNIGHT MAIL

Mr. Brendan M. Branon, Chairman
National Carriers' Conference Committee
251 – 18th Street, South, Suite 750
Arlington, VA 22202

Mr. Freddie N. Simpson, President
Brotherhood of Maintenance of Way Employees Division
of the International Brotherhood of Teamsters
41475 Gardenbrook Road
Novi, MI 48375

Re: NMB Case Number: A-13986
National Carriers' Conference Committee & BMWED
Craft or Class: Maintenance of Way Employees

Gentlemen:

In response to our letter addressed jointly to your respective Carrier and Organization Representatives dated June 14, 2022, we have been advised by a letter dated June 16, 2022 from Freddie N. Simpson, President, Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters that the Organization refused arbitration in the above captioned case. We have also been advised by a letter dated June 16, 2022 from Brendan M. Branon, Chairman, National Carriers' Conference Committee that the Carrier accepted arbitration in the above captioned case.

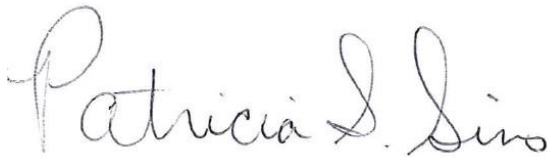
Your attention is therefore directed to the last clause in Section 5, First (b) of the Railway Labor Act, as amended, reading as follows:

If arbitration at the request of the Board shall be refused by one or both parties, the Board shall at once notify both parties in writing that its mediatory efforts have failed and for thirty days thereafter, unless in the intervening period the parties agree to arbitration, or an emergency board shall be created under Section 10 of this Act, no change shall be made in the rates of pay, rules, or working conditions or established practices in effect prior to the time the dispute arose.

It is the judgement of our Board that all practical methods provided in the Railway Labor Act for our adjusting the dispute have been exhausted, without effecting a settlement.

In these circumstances, notice is hereby served on behalf of the Board that its services (except as provided in Section 5, Third and in Section 10 of the Act) have been terminated this day under the provisions of the Railway Labor Act. Accordingly, unless the parties subsequently settle this dispute, or an emergency board is established, nonviolent self-help would be available commencing **12:01 a.m. EDT, Monday, July 18, 2022.**

By direction of the NATIONAL MEDIATION BOARD.

A handwritten signature in cursive script that reads "Patricia S. Sims".

Patricia Sims
Director of Mediation Services, NMB

cc: Gerald W. Fauth, III, Chairman, NMB
Linda Puchala, Member, NMB
Deirdre Hamilton, Member, NMB
Maria-Kate Dowling, Acting General Counsel, NMB
John Livingood, Senior Mediator, NMB
Richard S. Edelman, Spokesman & Counsel, BMWED/SMART-MD Coalition
Peter E. Kennedy, Director of Research and Coordination, BMWED