

NARR Conference 2022



Section 3 Activity Report

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Director, Office of Arbitration Services



Agenda: Section 3 Update

- Funding Overview
 - Case Handling Data
- Initiatives
 - Subject Code Revisions
 - Arbitrator Training



Funding Overview

Fiscal Year	Allocated	Actual	% Increase
FY 2022	\$1.2 M	\$1.45 M	25%
FY 2021	\$1.2 M	\$1.59 M	33%
FY 2020	\$1.2 M	\$1.9 M	58%
FY 2019	\$1.2 M	\$2.2 M	83%
FY 2018	\$1.1 M	\$1.5 M	36%
Total	\$5.9 M	\$8.64 M	46%



FY 2022 Overview:

By The Numbers

- Total Funded: 2,332 cases
 - Dec 2021: 376
 - Mar 2022: 655
 - Jun 2022: 901
 - Sept 2022 400
- Opened Cases (10/1/21–6/30/22): 3,282 cases
- Waitlist (as of 9/15/22): 1,429
- NMB Roster of Arbitrators: 336
 - Rail Arbitrators/Referees: 229 (3 on LOA)
 - Arbitrator Utilization: 29%
 - NAA Members on NMB Roster: 166
 - 36% Utilization



Open & Closed Cases FY 2022



**FY 2022 case data as of 6/30/22.*



Tribunals - Open Cases by Quarter

FY22 – Q1, Q2 & Q3

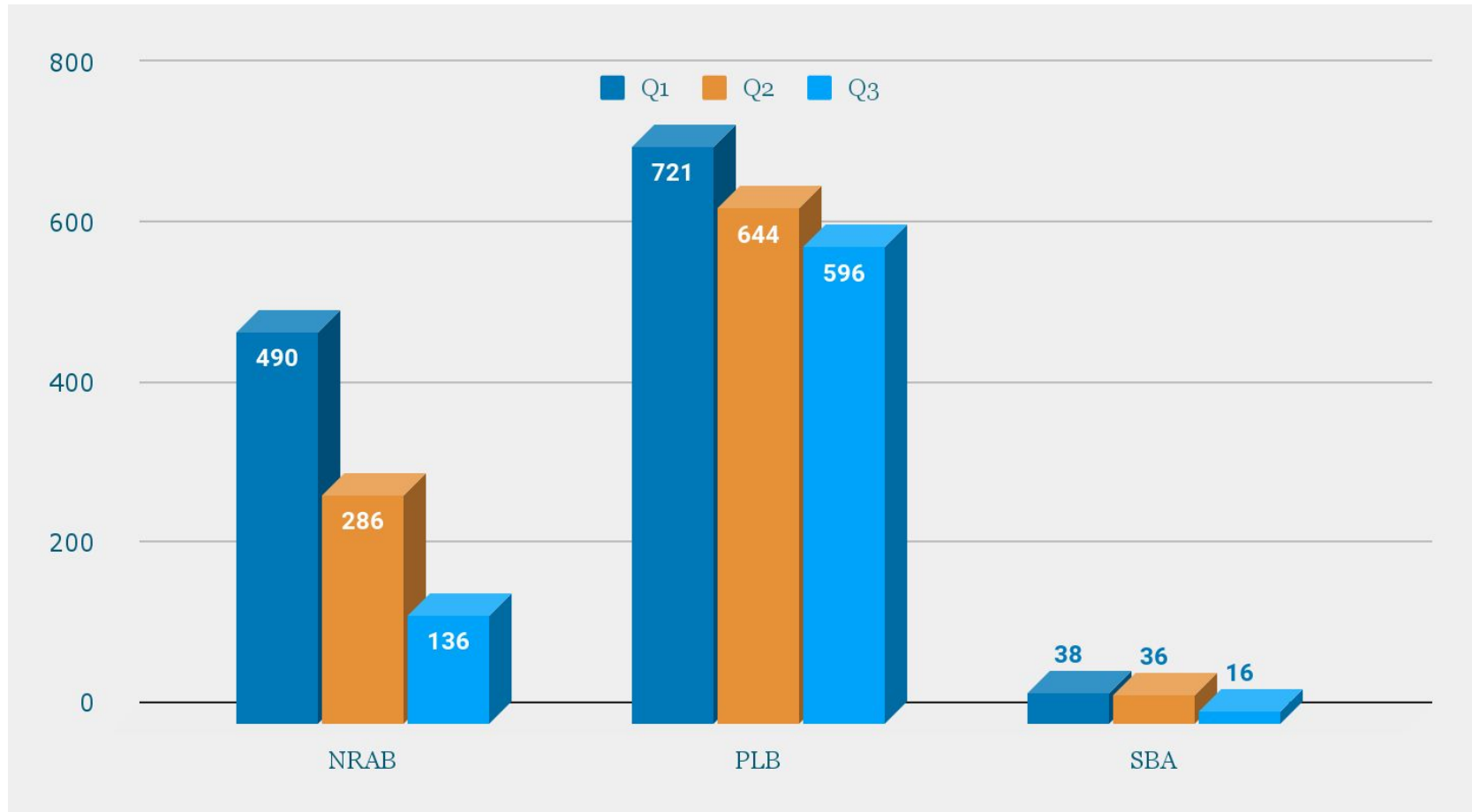


**FY 2022 case data as of 6/30/22.*



Tribunals - Closed Cases by Quarter

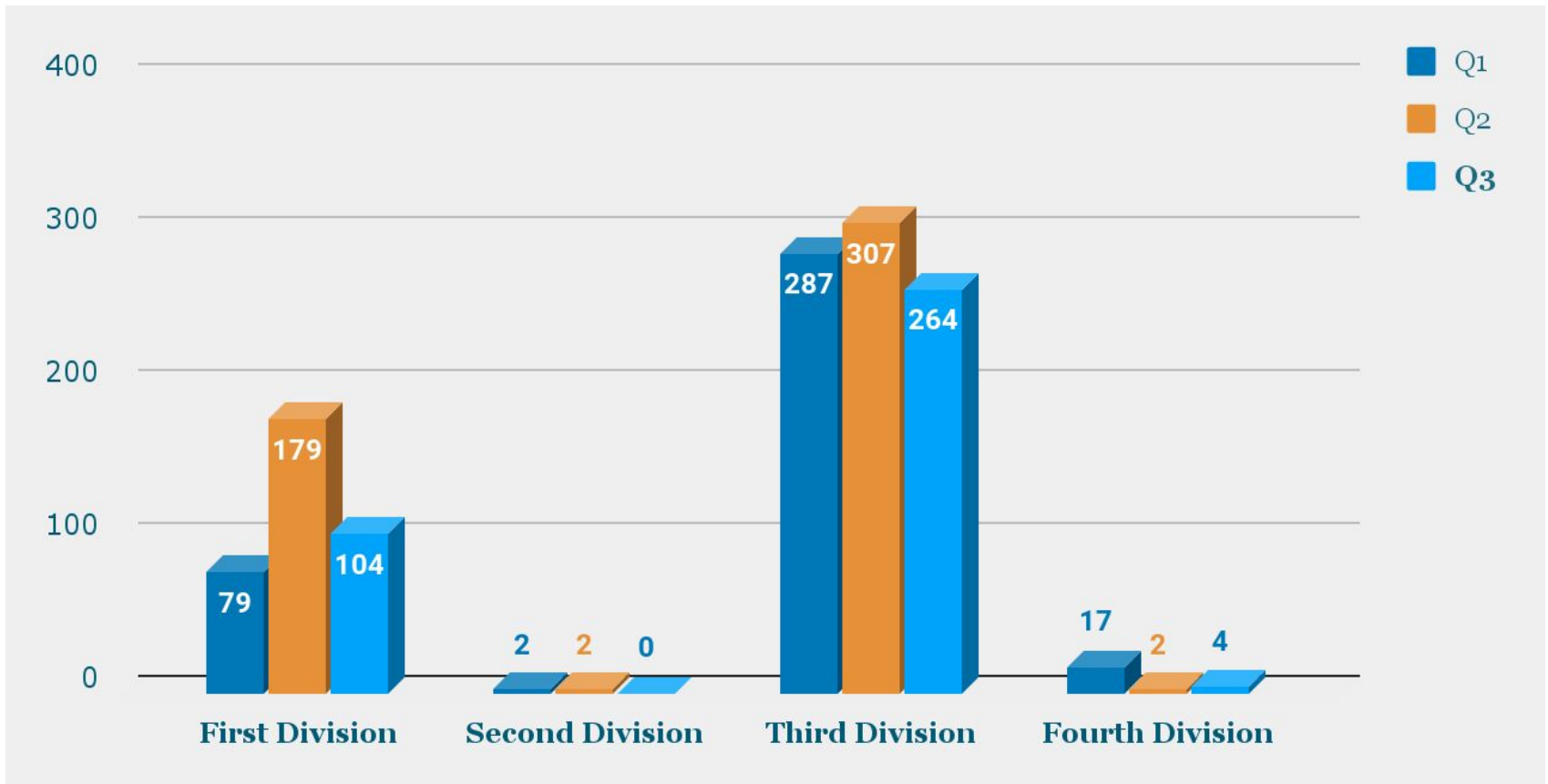
FY22 – Q1, Q2 & Q3



**FY 2022 case data as of 6/30/22.*



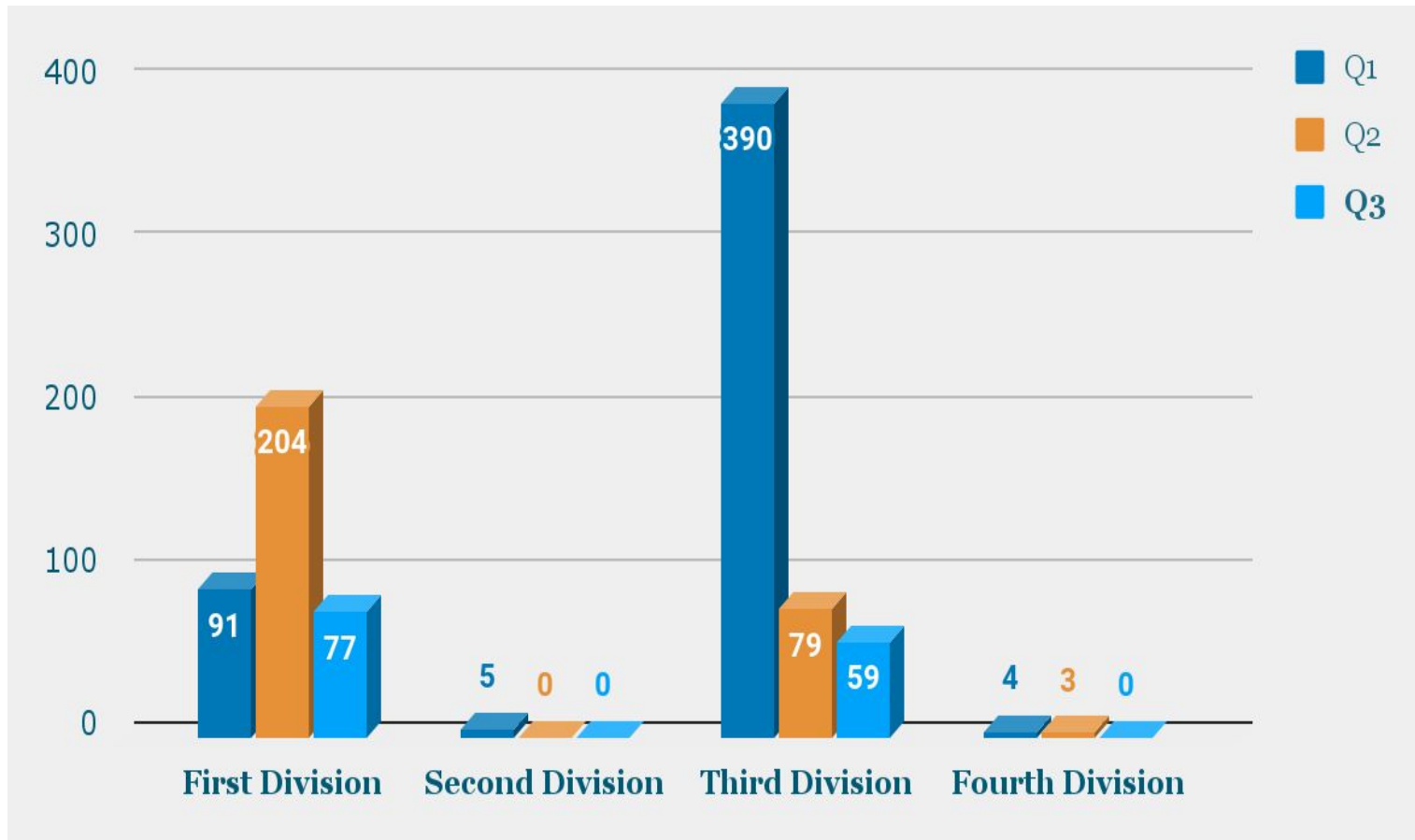
NRAB- Open Cases by Division & Quarter FY22 – Q1, Q2 & Q3



**FY 2022 case data as of 6/30/22.*



NRAB- Closed Cases by Division & Quarter FY22 – Q1, Q2 & Q3



**FY 2022 case data as of 6/30/22.*



Old "Issue" Codes

Issue Codes

Date : 12/11/96

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<u>Issue Code</u>	<u>Description</u>	<u>Category</u>			
2	Hostling	Service	44	Pay Differentials	
4	Out of Service	Fitness	46	Interchange: Improper	
5	Reinstate	Fitness	47	Weekly	Guarantees
6	National	Agreement(s)	58	Crew Consist	
7	Class of	Service	62	Daily	Rates of Pay
9	Strikes		64	Sen. Rosters (Integration)	
15	Attendance	Discipline/Discharges	72	Class of Rates	
16	Substance Abuse	Discipline/Discharges	84	Safety	
23	Road-Yard		86	ICC Imposed	Protection
24	Op Rule Violations		87	Investigations	
25	Sick Leave		95	Meal Period	
28	Terminal Delay		96	Supervisor Doing Work	
29	Abolish	Assignments	98	Changing	Rates of Pay
31	Caboose/Riders Cars		101	Mergers & Acquisitions	
32	On Property	Agreement(s)	102	Contracting Out Work	
36	Deadheading		105	Claims	
37	Mileage	Guarantees	106	Other (Incl. Union Bus.)	Discipline/Discharges
43	Grades of	Service	110	Cabooseless Trains	
			117	Other	Assignments
			118	Additional Service	
			119	Out of Service	Discipline/Discharges
			120	Runarounds	



Old "Issue" Codes

Issue Codes

Date : 12/11/96

Page : 2

<u>Issue Code</u>	<u>Description</u>	<u>Category</u>			
127	Medical Examination		177	Other Crafts Doing Work	
128	Displacements Rights		187	Higher Due	Rates of Pay
129	Determining	Rates of Pay	189	Joint Trackage	Agreement(s)
133	Injuries/Disability		193	Jurisdiction	
137	Hours of	Service	195	Equipment/Engine: Defective	
139	Change	Assignments	196	Yard Service	
140	Blank	Assignments	197	Extra Board	Guarantees
142	Daily	Guarantees	200	Work Notice	Protection
153	Doubleheader	Service	201	EEO Rights	
155	Health & Welfare		202	Alternative Disp Res	
156	Employees	Protection	300	Dress Codes	
158	Road/Yard Difference		301	Interest Arbitration	
159	Holiday Pay		302	Pensions	
162	Work Transfer	Protection	303	Pilot Qualifications	
163	Picking Up & Set Out		304	LLP's	Protection
164	Claims Appl	Protection	305	Flight Attendants	Rates of Pay
167	Vacation Pay		306	Pilots	Rates of Pay
172	Overtime		307	Real Estate	
173	Reinstatement	Discipline/Discharges	311	Employee Benefits	Arlines
174	Monthly	Rates of Pay	312	Crew Qualifications	Arlines
175	Equipment Damage/Collision		313	Licensing	Arlines
176	Qualify	Fitness	314	Weight Requirement	Arlines
			999	Experience in all issues	





NMB SUBJECT CODES

EFFECTIVE JULY 01, 2021

NMB SUBJECT CODES

Out-of-Service Discipline

- 100 Attendance
- 101 Conduct
- 102 Drugs & Alcohol
- 103 Safety/Operating Rules
- 104 Miscellaneous/ Other Not Specified Above

Minor Discipline

- 200 Attendance
- 201 Conduct
- 202 Drugs & Alcohol
- 203 Safety/Operating Rules
- 204 Miscellaneous/Other Not Specified Above

Contract Rules

- 300 Assignments/Bulletins
- 301 Crew Consist
- 302 Equipment & Facilities
- 303 Expenses
- 304 Interchange
- 305 Interdivisional Service
- 306 Meals
- 307 Medical /FFD
- 308 Pay/Allowances/Penalty
- 309 Protection
- 310 Qualifications & Training
- 311 Regulation of Boards
- 312 Scope
- 313 Seniority/Probation
- 314 Special & Additional Service
- 315 Switching
- 316 Yard/Road
- 317 Miscellaneous/Other Not Specified Above





NMB SUBJECT CODE GUIDANCE PAGE 1

Out-Of-Service
Discipline

NMB SUBJECT CODE GUIDANCE

EFFECTIVE JULY 01, 2021

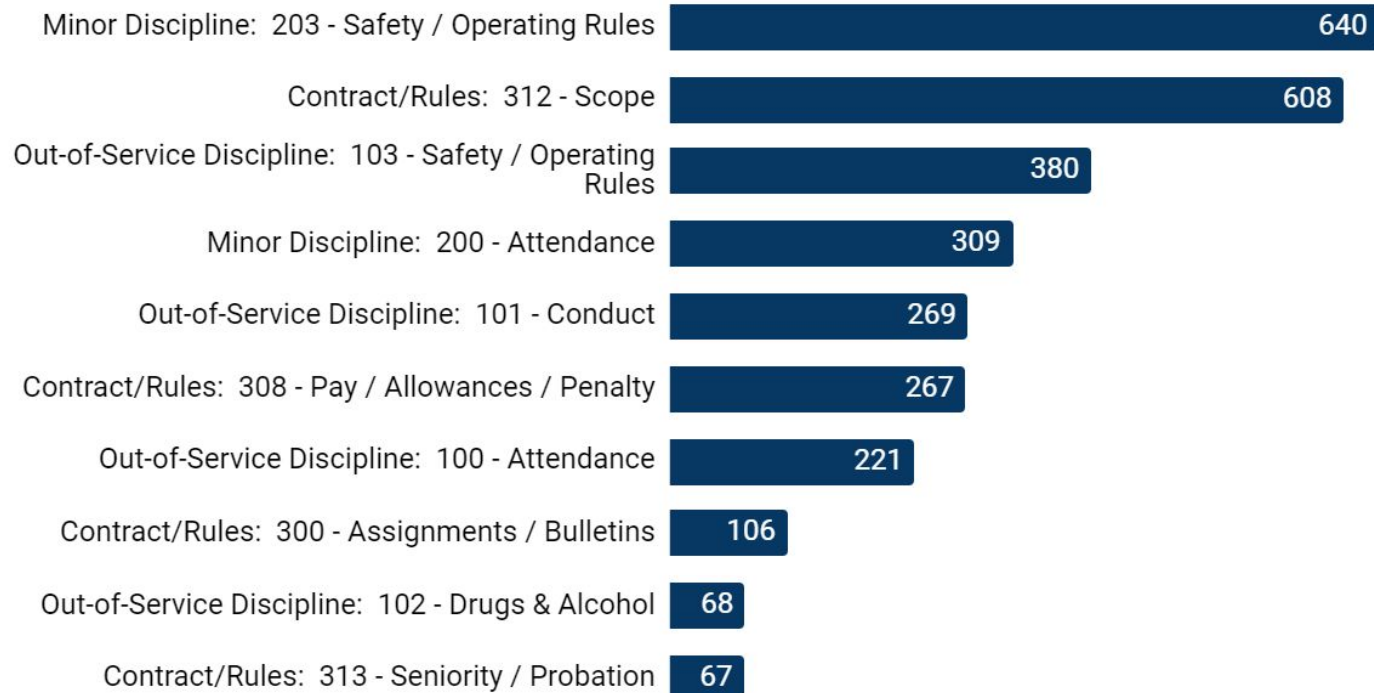
SUBJECT CODE TYPE OF DISCIPLINE NATURE OF DISPUTE

100	ATTENDANCE	<ul style="list-style-type: none"> - ATTENDANCE - FAILURE TO REPORT / NO SHOW /AWOL / LOA - FMLA - MISSED CALL / LAY OFF AFTER CALL
101	CONDUCT	<ul style="list-style-type: none"> - CONDUCT - CONDUCT - ON DUTY - ALTERCATIONS / EEO VIOLATIONS - INSUBORDINATION - THEFT - CONDUCT - OFF DUTY
102	DRUGS & ALCOHOL	<ul style="list-style-type: none"> - DRUGS & ALCOHOL / EAP
103	SAFETY / OPERATING RULES	<ul style="list-style-type: none"> - BLOCKED PUBLIC CROSSING - BLUE FLAG - BRAKE TEST - CROSSING TOO CLOSE TO CAR / CROSSING FROM CAR TO CAR - DAMAGE TO CUSTOMER PROPERTY - DAMAGE TO RAILROAD PROPERTY / - MISUSE OF COMPANY VEHICLES - DEFECT DETECTOR / SILENT DETECTOR - DELAY TO ASSIGNMENT - DERAILMENT / COLLISION - ELECTRONIC DEVICE / USE / STORAGE - EQUIPMENT LEFT OUT TO FOUL - FAILURE TO FOLLOW INSTRUCTIONS - FAILURE TO REPORT NON-COMPLYING CONDITION - FAILURE TO WHISTLE / SHORT WHISTLING - FRA CERTIFICATION / FAILURE TO MAINTAIN / - UNTIMELY SUBMISSION OF DOCUMENTS - FURNISHING REPORTS - GRADE CROSSING PROTECTION RULES - HANDLING COMPANY FUNDS - INSPECTIONS / ROLL-BY INSPECTIONS - LOCOMOTIVE CONTROLS AND SWITCHES - MOUNTING / DISMOUNTING MOVING EQUIPMENT - NO HEADLIGHT - ON-TRACK WORKER PROTECTION RULES - OPERATE OVER A DERAIL - PERSONAL INJURY / FAILURE TO REPORT / UNTIMELY REPORT - PTC / FUEL CONSERVATION SOFTWARE RULES - REMOTE CONTROL OPERATIONS RULES - REVERSE MOVEMENTS / SHOVS - RULES EXAM / FAILURE TO PASS / FAILURE TO TAKE - RUN THROUGH SWITCH - SAFETY / GENERAL - SECUREMENT OF EQUIPMENT - SET & CENTERED RULES / RED ZONE / 3-STEP PROTECTION - SLEEPING - SPEEDING - STOP SIGNAL - TAMPERING - TRACK AUTHORITY / WORK - TRACK WORK ORDERS / GRADE CROSSING (STOP & PROTECT) - TRAIN HANDLING RULES - UNION BUSINESS - USE OF SWITCHES / SWITCH FLAG / SWITCH CARD



Top 10 Subject Codes

FY22 Through Q3



*FY 2022 case data as of 06/30/22.



Arbitrator Training

Working Group

Kristin Beckner-NRLC	Meeta Bass-ARB NARR
Brandon Elvey-BRS	Allison Dillon-TCU
Macon Jones-CSX	Doug Davidson-BLET
Marcus Ruef-BLET	Betsy Wesman-ARB
Terrill Maxwell-UP	Brian Clauss-ARB
Bjarne Henderson-NICD	

Selection Committee

Meeta Bass-ARB | NARR

Allison Dillon-TCU

Beth Wilderman-ARB

Bjarne Henderson-NICD

Don Hill-BLET|SEPTA



Arbitrator Training

- 40 applicants
- 28 selected
- Several are members of the NAA



Arbitrator Training 2022

- Virtual training 9/14-15
- Visit to Illinois Railway Museum 9/20
- Mock Arbitration 9/21
- NARR Attendance 9/21-23
- Mentoring

