

NATIONAL RAILROAD ADJUSTMENT BOARD

844 North Rush Street, Room 944

Chicago, Illinois 60611-2092

Phone: (312) 751-4688

FAX: (312) 751-4681

www.nmb.gov

NRAB INSTRUCTIONS SHEET

A. In order to file a case with the NRAB, the Petitioner must:

(1) Serve the appropriate Division of the Board (refer to Circular No. 1 to determine which Division is appropriate) with a Notice of Intent letter advising of the intention to file a Submission within 75 days from the date notice is given.

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(1) Serve the appropriate Division of the Board (refer to Circular No. 1 to determine which Division is appropriate) with a Notice of Intent letter advising of the intention to file a Submission within 75 days from the date notice is given.

(2) Furnish a separate copy of the Notice of Intent to the Respondent. Unless the Carrier is the Petitioner, the Respondent is the highest officer designated to handle labor relations matters on the involved Carrier.

(3) For purposes of identification, the Notice of Intent must include a brief description of the dispute, the particular question on which an Award is desired, and the remedy sought.

(See attached SAMPLE Notice of Intent letter.)

B. The Notice of Intent will be acknowledged in writing via regular U. S. Mail. An NRAB Case Number will be assigned. Both parties will be notified that their Submissions will be due on a specific date 75 calendar days from the date of the Board's letter. No request for a time limit extension will be granted.

If the dispute is between a Carrier and an Organization, the parties must file a copy of their Submission on a properly labeled compact disc (CD) in "read-only" format. Exhibits must be facsimiles of the originals contained in graphic files which, when printed, yield an actual copy of the original. No more than one Submission may be stored on a CD and it must be accessible through a current version of Adobe Acrobat Reader.

If the dispute is between a Carrier and an individual, the parties must file four paper copies of their Submission with the assigned NRAB Case Number shown on the cover page.

NRAB INSTRUCTIONS SHEET

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C. Your Submission should cover the following points:

- (1) **PARTIES**: All parties to the dispute must be stated in each Submission.
- (2) **STATEMENT OF CLAIM**: Under this caption the Petitioner or Petitioners must clearly state the particular question upon which an Award is desired, and the remedy sought.
- (3) **STATEMENT OF FACTS**: If a "Joint Statement of Facts" is possible, briefly, but fully set forth the controlling facts involved. In the event of inability to agree upon a "Joint Statement of Facts," each party should separately set forth the facts.
- (4) **POSITION OF EMPLOYEES**: Under this caption the employees must clearly and briefly set forth all relevant, argumentative facts, including all documentary evidence (excluding Investigation Transcripts, if any) submitted in exhibit form, quoting the Agreement or Rules involved, if any. All data submitted in support of the employees' position must affirmatively show the same to have been presented to the Carrier during handling on the property.
- (5) **POSITION OF CARRIER**: Under this caption the Carrier must clearly and briefly set forth all relevant, argumentative facts, including all documentary evidence (including Investigation Transcripts, if any) submitted in exhibit form, quoting the Agreement or Rules involved, if any. All data submitted in support of the Carrier's position must affirmatively show the same to have been presented to the employees or duly authorized representative thereof during handling on the property.
- (6) **CITATION OF AWARDS**: When excerpts from Awards are quoted within a Submission from First Division Awards 1 through 21867, Second Division Awards 1 through 6327, Third Division Awards 1 through 19195, and Fourth Division Awards 1 through 2677, only the Statement of Claim and Findings or Opinion must be included as an Exhibit. All other Awards that are quoted within a Submission must be included in their entirety as an Exhibit.

NRAB INSTRUCTIONS SHEET

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(6) **SIGNATURES**: All Submissions must be signed by the submitting party.

(7) **HEARINGS**: Parties are required to state in their Submissions whether an Oral Hearing before the Board (without a Referee present) is desired. In the event the Board deadlocks the dispute, it will be submitted to a Referee, at which time both parties will be notified that they may appear at a Referee Hearing before the Board (with a Referee present) which must be requested in accordance with Circular No. 1 of the Board. All Hearings are held at the NRAB headquarters, which is located at 844 North Rush Street, Room 944, Chicago, Illinois, 60611-2092.

(8) **FORM OF SUBMISSION**: All Submissions must be identical and equally legible, typewritten or machine prepared (double spaced and single sided) as if prepared on 8½ X 11 inch paper. There must be a top margin of not less than 1½ inches for binding. Submissions must not be bound other than in the top margin. Pages should be numbered at the bottom and all exhibits identified, by number or otherwise, at the bottom of each page. Maps or other exhibits, which cannot be prepared to conform to the size of 8½ X 11 inches, should have a marginal tab at the top for binding and should be folded to the size not exceeding 8½ X 11 inches (including binding tab) in such a manner so as to permit examination without removal from the file in those instances where paper copies of Submissions are filed.

These instructions must be complied with or disputes will not be progressed further.

NRAB INSTRUCTIONS SHEET

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SAMPLE NOTICE OF INTENT

(See NRAB INSTRUCTIONS SHEET - Part A-1)

Date: _____

**Ms. Linda A. Gathings, Arbitration Assistant
National Railroad Adjustment Board
(Insert First, Second, Third or Fourth Division
844 North Rush Street, Room 944
Chicago, IL 60611-2092**

Dear Ms. Gathings:

This is to serve notice, as required by the June 23, 2003 Uniform Rules of Procedure of the National Railroad Adjustment Board, of my intention to file a Submission within 75 days covering an unadjusted dispute between me and the (insert the name of the Railroad) involving the following:

(Insert full Statement of Claim here.)

(See NRAB INSTRUCTIONS SHEET - Part A-3)

Respectfully yours,

Signature

Copy: (Railroad involved - See NRAB INSTRUCTIONS SHEET - Part A-2)

Effective July 1, 2003

JOINT EXHIBITS PROGRAM - NRAB

In an effort to minimize paper reproduction, the Board has initiated a voluntary JOINT EXHIBIT PROGRAM to encourage the parties to a dispute to agree to the exhibits provided in connection with their respective Submissions. Two obvious goals of this program are to reduce the number of exhibits by eliminating duplicate or unnecessary copies and to facilitate presentation of disputes to Referees. The following outlines this procedure:

1. Carrier and Organization representatives should confer immediately upon receipt of notification from the Board that a Notice of Intent has been assigned an NRAB Case Number. Representatives should review the case file and identify those documents that can be presented as Joint Exhibits. Representatives may wish to omit documents that are unimportant and/or irrelevant to the disposition of the dispute; for example, letters granting time limit extensions (assuming time limits are not an issue in the dispute) letters requesting a conference (assuming that is not an issue in the dispute), etc.

2. Representatives should determine which party will supply the Joint Exhibits. The Board recommends that the parties take turns. In discipline cases it will remain the Carrier's responsibility to provide the Investigation transcript.

3. A "Joint Exhibit Index" (a sample of which is attached) is to be provided as a Cover Page to both parties' Submissions. Joint Exhibits are to be submitted as a separate document by the designated party. Joint Exhibits are to be identified as Joint Exhibits. Organization or Carrier designations are reserved for exhibits that cannot be submitted as Joint Exhibits, such as supporting precedent.

4. Any questions concerning this procedure should be directed to the Chairman or Vice Chairman of the involved Division of the Board.

LEAD FILE PROGRAM - NRAB

The LEAD FILE PROGRAM is intended to encourage parties having similar disputes before the NRAB to jointly designate a "Lead File" for exhibits. The following outlines this procedure:

1. Carrier and Organization representatives should confer immediately upon receipt of notification from the Board that Notices of Intent concerning similar claims have been assigned NRAB Case Numbers. Representatives should review the claims and jointly designate one claim as the "Lead File." Exhibits that are common to all claims in the series should be filed in the "Lead File." Such exhibits may be utilized by reference in the other similar claims. Exhibits that are unique to one or more cases, but not common to all claims in the series, should be marked as such and filed in the relevant claim file(s). To the practicable extent, the parties should utilize the same exhibits presented in the "Lead File," including the Joint Exhibits and individual partisan exhibits such as supporting precedent. All procedures set forth with respect to the Joint Exhibit Program should be utilized.

2. Any questions concerning this procedure should be directed to the Chairman or Vice Chairman of the involved Division of the Board.

NATIONAL RAILROAD ADJUSTMENT BOARD

NRAB CASE NO. _____ - _____ - _____

Joint Exhibit Index

Notice of Intent _____ / _____ / _____

Organization File No. _____

Carrier File No. _____

Exhibit No.	Date	Nature of Exhibit
	/ /	
	/ /	
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	/ /	
	/ /	

Date: _____

Organization Representative: _____

Carrier Representative: _____

Organization Provides Exhibits	<input type="checkbox"/>
Carrier Provides Exhibits	<input type="checkbox"/>

**NATIONAL RAILROAD ADJUSTMENT BOARD
LEAD FILE PROGRAM**

NRAB CASE NO. _____ - _____ - _____

NRAB CASE NO. _____ - _____ - _____

NRAB CASE NO. _____ - _____ - _____

NRAB CASE NO. _____ - _____ - _____

Joint Exhibit/Lead File Exhibit Index

Notice of Intent _____ / _____ / _____
(Date)

Organization File No. _____

Carrier File No. _____

Notice of Intent _____ / _____ / _____
(Date)

Organization File No. _____

Carrier File No. _____

Notice of Intent _____ / _____ / _____
(Date)

Organization File No. _____

Carrier File No. _____

Notice of Intent _____ / _____ / _____
(Date)

Organization File No. _____

Carrier File No. _____

Joint Exhibit No.	Date	Nature of Exhibit
	/ /	
	/ /	
	/ /	

Lead File Program
Page 2

Joint Exhibit No.	Date	Nature of Exhibit
	/ /	
	/ /	
	/ /	
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Lead Exhibit No.	Date	NRAB Case No.
	/ /	NRAB Case No. _____ - _____ - _____
	/ /	NRAB Case No. _____ - _____ - _____
	/ /	NRAB Case No. _____ - _____ - _____
	/ /	NRAB Case No. _____ - _____ - _____
	/ /	NRAB Case No. _____ - _____ - _____
	/ /	NRAB Case No. _____ - _____ - _____
	/ /	NRAB Case No. _____ - _____ - _____
	/ /	NRAB Case No. _____ - _____ - _____

Date: _____

Organization Representative: _____

Carrier Representative: _____

Organization Provides Exhibits	<input type="checkbox"/>
Carrier Provides Exhibits	<input type="checkbox"/>



(312) 751-4688

NATIONAL RAILROAD ADJUSTMENT BOARD
OF THE
NATIONAL MEDIATION BOARD
844 N. Rush Street, Room 944,
Chicago, IL 60611

Sample Acknowledgement Letter sent by NRAB

Date XX, 200X
NRAB Case No. 00-0-000

Mr. XXXXX
Organization
Address
City, State 12345

Mr. XXXXX
Carrier
Address
City, State 12345

Dear Mr. XXXXX:

This will acknowledge receipt at the National Railroad Adjustment Board of the National Mediation Board (NRAB) of the Notice of Intent submitted by the organization. In the Notice, the organization stated its intent to file a Submission within 75 days covering an unadjusted dispute between the (Organization) and the (Carrier).

NRAB Case No. 00-0-000 has been assigned to this case and must appear on all future correspondence relative to this matter. You are requested to furnish the original submission and any attachments to the NRAB by (due date - 75 days from date of letter). The submission and exhibits must be furnished electronically on a CD to the NRAB.

The NRAB has established a Master File system for the submission of exhibits and documents regarding the same or similar claims. If subsequent notices concerning the same or similar claims are filed, the NRAB case listed above will be the Master File for exhibits, documents and any other evidence. There is no longer any need to file a set of identical documents for each case in a series. The Master File will be the only file used for exhibits and other documents for the cases in the series. The exhibits and other documents in the Master File will be utilized by reference in other cases in the series. No duplicate sets will be received and filed. Documents which are unique to a particular case in the series will be accepted and filed in that NRAB case.

A copy of the Notice of Intent is enclosed. Any questions should be directed to the NRAB staff at 312-751-4688.

Sincerely yours,

Roland Watkins, Director
Office of Arbitration Services