

FY 2009 Performance Plan

The NMB's 2009 Performance Plan tracks the five-year Strategic Plan, with outcome goals for the Agency's mission areas. The strategic goals are highlighted and appear in the applicable mission-related areas, with goals, targets, measures and strategies for achieving the strategic goals.

Table of Contents

Mission Statement & General Agency Goals	i
Resources Requested to Meet FY 2009 Performance Goals	ii
Government-Wide Initiatives	1
Agency-Wide Initiatives.....	3
FY 2009 Mediation & ADR Performance Goals.....	3
FY 2009 Alternative Dispute Resolution Performance Goals	4
FY 2009 Representation Performance Goals	5
FY 2009 Arbitration Performance Goals	6
FY 2009 Administration Performance Goals.....	7
Verification and Validation	8

Mission Statement

The National Mediation Board (NMB) is an independent Executive branch agency established by the 1934 amendments to the Railway Labor Act of 1926 which expanded coverage of the Act to include the airline industry. The NMB performs a key role in achieving the principal purpose of the Act: “to avoid any interruption in commerce or to the operation of any carrier engaged therein” by assisting the carriers and their employees in their duty under the Act to “exert every reasonable effort” to settle disputes. The Board’s principal statutory goals are:

1. To facilitate the resolution of disputes in the negotiation of new or revised collective bargaining agreements;
2. To insure employee rights of self-organization, without interference, when representation disputes exist, and;
3. To provide for the prompt and orderly settlement of disputes growing out of minor disputes or out of the interpretation or application of agreements covering rates of pay, rules, or working conditions.

GENERAL AGENCY GOALS

- To promote the amicable resolution of disputes between carriers and employees by providing quality conflict prevention and resolution services, including both traditional mediation and alternative dispute resolution, while encouraging an atmosphere of harmony that will facilitate future bargaining in the airline and railroad industries.
- To deliver, through the Office of Legal Affairs (OLA), prompt investigation of representation disputes among rail and air employees and definitive resolution of employees' representation status for collective bargaining purposes.
- To improve and strengthen the NMB’s system and processes for resolving minor disputes in the air and rail industries.
- Consistent with the President’s Management Agenda, to improve the management of our human capital; continue to assess the opportunities to outsource commercial tasks, to improve financial performance, and to expand E-government applications; and to strengthen the linkage between budget planning and agency performance.
- To develop a program of outreach and coordination with entities engaged in dispute resolution and collective bargaining; engage in educational enterprises with other agencies, colleges, and universities.

Resources Requested to Meet FY 2009 Performance Goals

The NMB's requested budget resources along with its allocated full-time equivalent positions will enable the agency to achieve the goals contained in the strategic plan and the annual performance plan. These resources will enable the NMB to meet its statutorily mandated obligations and to provide services to its airline and railroad labor-management and public customers. Seventy-five percent of the NMB's budget is attributed to FTE and contractual personnel costs. More than ninety percent of NMB staff have direct customer contact. The staff is dedicated to fulfilling the NMB's mission to provide the services described in the annual performance plan goals.

The FY 2009 annual performance goals are based on the assumption that the agency will experience level staffing and relatively stable case loads, consistent with the case load estimates included in the requested budget for FY 2009.

Government-Wide Initiatives

I. Strategic Management of Human Capital

- Develop a program for enhanced recruitment and retention of employees for all positions (succession planning).
- Review and upgrade performance monitoring, evaluation, and planning.
- Institute a comprehensive development and training program agency-wide.
- Encourage the development of a pool of available and qualified candidates for work in the airline and railroad labor industries that is diverse in terms of age, gender, race and experience.
- Continue to reduce the distance between citizens (the parties) and NMB service providers, as directed by the President's Management Agenda.

II. Competitive Sourcing

- Continue to foster the use of appropriate contract and outsourced labor for agency functions, including personnel, IT, and arbitration.
- Pursue competitively sourced management of agency records and documents.
- Develop university relationships to provide research and educational support.

III. Improved Financial Performance

- Maintain financial management systems that meet Federal system requirements and applicable Federal accounting and transaction standards.
- Maintain and report accurate and timely financial information.
- Maintain integrated financial and performance management systems supporting day-to-day operations.
- Achieve unqualified and timely audit opinions on annual financial statements (with reports of no material internal control weaknesses).

IV. Expanded Electronic Government

- Expand the content, use, and accessibility of the agency web site.
- Increase access to agency forms.
- Move aggressively toward creating a paperless office.
- Expand the use of video teleconference technology.

Agency-Specific Initiatives

Strategic Plan General Goal 1: Mediation & Alternative Dispute Resolution

Mediation and ADR will continue to foster the prompt and peaceful resolution of collective bargaining disputes in the airline and railroad industries.

FY 2009 Mediation Performance Goals

I. Establish an Internal Standard Code of Practice for mediators.

- Review ABA and ACR code documents for adaptation to RLA practice.

II. Continue to develop standard training for mediators to ensure they are kept abreast of the latest trends in mediation and gain additional industry and technical knowledge in both air and rail.

- Pursue joint training ventures with leading academic and industry groups to produce RLA specific mediator and facilitator training.

III. Better track the history of cases.

- Work with Arbitration and Representation to revise and improve the agency case tracking system.

IV. Ensure that mediator qualifications match the needs of the industries.

- Survey the industry to update the mediator qualifications guidance developed after the Dunlop Commission report.

FY 2009 Alternative Dispute Resolution Performance Goals

- I. Expand current ADR capabilities to address the changing labor environment in the airline and railroad industries and provide more varied assistance in dispute resolution both between and during contract negotiations.**
- Use outreach and promotion efforts to raise the visibility of the ADR program.
 - Review ADR services for potential deletions, additions, or changes.
- II. Pursue interagency projects, including personnel exchange programs, to enhance labor-management relations throughout the airline and railroad industries.**
- Implement and develop interagency projects with other labor and transportation agencies with the goal of enhancing labor-management relations in the airline and railroad industries.
- III. Engage in outreach and education programs to ensure that the NMB is seen as a world leader in airline and railroad labor-management issues.**
- Submit proposals for presentations at dispute resolution conferences.

Strategic Plan General Goal 2: Representation

The Office of Legal Affairs (OLA) will promptly investigate representation disputes and definitively resolve representation status for collective bargaining purposes, using the most efficient and client-friendly methods available.

FY 2009 Representation Performance Goals**I. Expand the use of electronic systems to further streamline and reduce cost.**

- Pursue an Internet-based version of Telephone Electronic Voting (TEV).
- Work with Arbitration, Mediation, and ADR to upgrade the agency case management system.
- Expand usage of the electronic case filing system by improving the search capabilities of the Corporate Memory System.
- Continue to integrate Representation data into the agency Corporate Memory.

II. Develop outreach opportunities in the legal, labor relations and alternative dispute resolution communities.

- Submit proposals for participation in ABA-sponsored conferences.
- Develop appropriate CLE and other training opportunities for RLA practitioners.

III. Enhance recruitment and training of attorneys.

- Implement individuals' development plans for enhancing the performance of the attorneys.
- Improve outreach activities to maintain a diverse pool of applicants for attorney positions.

IV. Implement and maintain concise, relevant reference materials, readily available to the public and which reduce the number of man-hours used to research and respond to inquiries.

- Update and improve the material available on the NMB web site.
- Work with ADR to move public information to the NMB Knowledge Store.

V. Maintain continuous industry and agency communication at a level that provides early preparation for Presidential Emergency Board management.

- Coordinate efforts with the Office of Mediation Services to identify potential disrupts which may lead to a Presidential Emergency Board.

Strategic Plan General Goal 3: Arbitration

Arbitration will promote the prompt and orderly resolution of grievance disputes in the railroad and industries.

FY 2009 Arbitration Performance Goals**I. Modernize and update procedures related to NRAB cases (Section 3) and other arbitral forums (public law boards and system boards of adjustment).**

- Conduct a business process review of NRAB case handling.

II. Foster a “best practices” approach to managing the contract arbitrator roster.

- Move arbitrator roster information to a new case management system.
- Improve the guidelines for accepting applicants to the roster.

III. Foster a “best practices” approach to managing arbitrator billing and payment.

- Investigate and develop a more equitable and efficient arbitrator billing process.

IV. Integrate current technology into the arbitration process.

- Continue to integrate Arbitration business processes into the NMB Corporate Memory program.
- Cooperate with Mediation, ADR, and Representation to improve the agency case management system.
- Continue to encourage the parties to use the agency’s web-based video system, and the cooperative agreement with the NLRB, to reduce costs for arbitration hearings and adoption conferences.

Strategic Plan General Goal 4: Administration

Administration will offer financial, personnel, IT, and other administrative support to all primary mission areas.

FY 2009 Administration Performance Goals**I. Establish sound financial planning, justification and execution.**

- Ensure financial integrity and reliability
- To have a customer-oriented culture where exceptional customer service is a way of business.
- To build a high-caliber financial management work force focused on mission accomplishments and recognized as best among peers, making optimal use of current staff, diversity and development, recognition, and staff empowerment.
- To meet customer and stakeholder financial management information needs by maintaining a "World Class" financial management system.

II. Establish and extend emergency management and continuity of government measures.

- Update and test emergency measures yearly.

III. Sound IT planning, including security planning and risk/vulnerability assessments.

- Conduct vulnerability assessments on all IT systems
- Provide security awareness training to all NMB employees yearly

Verification and Validation

The FY 2009 Annual Performance Plan is the product of management and program staff, developed in consultation with labor and management. In developing the plan, the agency evaluated workload trends and reviewed historical workload data. Discussions with other Federal agencies concerning goals, targets and measures impacted the final product. NMB annual performance goals are based on the assumption that the agency will have a relatively stable case intake and stable funding. The core goals and objectives of the performance plan are incorporated into the individual performance plans of the agency's work force.

The NMB measures its progress in meeting its performance goals through customer feedback, staff discussion, and the use of the agency's case management system. Feedback from labor, management and neutral parties is continuous and an integral part of managing the agency. Through department staff meetings and reviews, agency management identifies problems and makes adjustments in work processes or resource levels. The NMB develops work plans and establishes deadlines for all projects including those performed by contractors.

The NMB's information technology and software allows the agency to monitor, measure, and report case activities within mediation, representation and arbitration program areas. This technology and software is part of the NMB's management audit system which measures whether agency programs meet annual performance plan and strategic plan targets.

The data generated by the information technology systems and customer input are used to assess program effectiveness and to foster program improvements. Customer input involves measures of customer satisfaction concerning current services and the identification of any additional services that may be necessary to serve the parties. Evaluation and feedback data from customers are used to determine the effectiveness of major programs.