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## Independent Railway Supervisors Association International

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August 10, 2008

Geoffrey G. McCloud  
*President*

Daniel Mauro  
*Recording Secretary*

William A. Basedow  
*Vice President*  
*Financial Secretary*  
*Treasurer*

Douglas Franz Jr.  
*Vice President*

Michael Scalzi  
*Vice President*

Ignacio Vasquez  
*Vice President*

Jerry Gallagher  
*Vice President*

*Trustees*

John Henry  
Thomas Allen  
Charles Rex

RE: Representation Manual revision

Mary L. Johnson  
General Counsel  
National Mediation Board  
1301 K Street NW,  
Suite 250 East  
Washington, DC 20005-7011

Dear Mary L. Johnson,

The Independent Railway Supervisors Association International would like to thank you for your inquiry from us regarding this revision of the Representation Manual. Below you will find our comments and or suggestions for sections 204, 3.3, 8.2, 9.2, 9.205 and 13.304-2. We have received the newest inquiry for 19.7 and are reviewing that for comment to be sent before the deadline.

### 2.4

Although this revision should help the NMB and the participants or individuals retain a legitimate list of potential voters in a timely manner, I also see a way for the Carrier to stall the process.

Setting aside the election will absolutely insure a more accurate election based upon the thought of having the Carrier provide an accurate list in a timely manner to hold an election. However, should the Carrier not comply with the time restraints for what ever reason, the participants or individuals may lose valuable time pertaining to good negotiations as represented employees.

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Should the Carrier be in a position to negotiate with portions of these individuals and needing more time to do so, they may institute this tactic to hold off a legitimate election. Our labor organization may be somewhat more susceptible to this practice due to the overwhelming amount of members who are Supervisors and could be offered Management packages to alleviate organization.

The revision of this section while providing assistance in acquiring an accurate list should also provide for the start of a new election in a time frame set by the Investigator on a case by case basis.

### 3.3

Since there appears to be a need for a deadline set to accept applications or additional authorization cards, the intervenors should be notified of the exact delivery date in advance as is described in Section 2.5.

### 8.2

The terminology and language pertaining to the Carrier's ability in obtaining better consideration by gaining substantial weight should be omitted. This Association would base this opinion on the fact that not all Carriers have perfect record keeping practices and of course there is always the possibility of human or technological errors with regard to their records. If substantial weight was to be given the Carrier according to their official records, we feel those records should be available to the petitioners for possible challenges and or objections.

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### 9.2

This association agrees with this particular section revision due to the fact that most of our membership holding positions in their craft is required to get training. The one setback would be members who are not in a structured or mandated training program but are spending time being trained by a member of the same craft and hold a title in that same craft.

That would be a matter of the Carrier substantiating whether they currently hold the titled position in which they are being trained or their previous title while being trained and if they are having union dues currently taken out of their pay for the union requesting eligibility.

### 9.205

This seems to be a fair extension and clarification of the explanation for eligibility, mirroring the sentence to follow in this section.

### 13.304-2

Although it unclear to this Association how it could be determined what a voter clearly intends to do in terms of representation, we have no objection or specific comment towards this revision.

Sincerely,

Geoffrey G. McCloud  
President

Independent Railway  
Supervisors Association  
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To: MARIL JOHNSON (GENERAL COUNSEL) IRSA INTERNATIONAL  
Fax: 202-692-5085 Pages: 4  
Phone: \_\_\_\_\_ Date: 08/14/2008  
Re: REPRESENTATION MANUAL CORRECTION  
 Urgent     For Review     Please Comment     Please Reply

• Comments:

ATTACHED PLEASE FIND THE INDEPENDENT RAILWAY SUPERVISORS ASSOCIATION - INTERNATIONAL'S COMMENTS REGARDING A POSSIBLE REVISION BY THE NMB. PLEASE FEEL TO CONTACT US SHOULD YOU HAVE ANY QUESTIONS.