Wednesday, March 11

6:00 p.m. - 7:30 p.m. Welcome Reception (Bienville/Iberville)

Thursday, March 12

7:30 a.m. - 8:00 a.m. Continental Breakfast & Registration (Queen Anne Parlor)

8:00 a.m. - 8:15 a.m. Welcome by Committee Co-Chairs (Queen Anne Ballroom)

Mary L. Johnson
National Mediation Board

Donald J. Munro
Jones Day

Carla Siegel
International Association of Machinists & Aerospace Workers

8:15 a.m. - 8:30 a.m. Remarks from Section Leadership

Joyce Margulies
Section Chair
Margulies Employment Law Consulting

Stephen B. Moldof
Union & Employee Council Liaison
Cohen, Weiss and Simon LLP

Joseph J. Torres
Employer Council Liaison
Winston & Strawn LLP

8:30 a.m. – 9:30 a.m. Remarks from Officials of the National Mediation Board
The panel will discuss derivative carriers, innovations in labor/management relations, grievance mediation and issues surrounding industry attrition rates.

Harry Hoglander, Chairman
Linda Puchala, Member
Nicholas Geale, Member
L. Daniel Rainey, Chief of Staff
9:30 a.m. - 9:45 a.m. Break (Queen Anne Parlor)

9:45 a.m. - 10:45 a.m. RLA and NLRA
The Railway Labor Act is often compared to the National Labor Relations Act. Despite their similarities, there are important distinctions between the two statutes, and not just in terms of the substantive and procedural rules. There are also major differences in the culture and practical experience of parties, lawyers, and regulators under the two laws. This panel will explore the many ways in which the RLA is different than the NLRA, and discuss the reasons for those variations.

Elizabeth Dougherty, Ogletree Deakins, Washington, DC
Ernest DuBester, Federal Labor Relations Authority, Washington, DC
Stephen B. Moldof, Cohen, Weiss and Simon LLP, New York, NY

10:45 a.m. – 11:00 a.m. Break (Queen Anne Parlor)

11:00 a.m. – 12:00 p.m. Commuter Rail Presidential Emergency Boards
Over the last twenty years, a majority of all presidential emergencies boards have involved commuter railroads. Why is this? Do the rules for commuter PEBs under section 159a of the RLA work as intended? Does the dual PEB system for commuter railroads make sense? This panel will discuss the pros and cons of commuter PEBs, with a particular focus on the recent experience of the Long Island Railroad and SEPTA.

Norman Graber, National Mediation Board, Washington, DC
Robert S. Hawkins, Buchanan, Ingersoll & Rooney, PC, Philadelphia, PA
Carmen Parcelli, Guerrieri, Clayman, Bartos & Parcelli, PC, Washington, DC

12:00 p.m. - 1:00 p.m. Ethics in RLA Proceedings
Whether involved in negotiations or in grievance handling, issues arise involving confidentiality of information. Are bargaining notes confidential or may the other party demand them? Is the filing of a grievance confidential or may another employee gain access to that information? Is an employee’s complaint to his/her union representative privileged or may a third party subpoena that information? This panel will explore questions of the union-grievant privilege and confidentiality under the RLA as well as other pressing ethical issues for RLA practitioners.

Mitchell Kraus, Arbitrator, Potomac, MD
Thomas E. Reinert, Jr., Morgan, Lewis & Bockius, LLP, Washington, DC
Michael S. Wolly, Zwerdling, Paul, Kahn & Wolly, P.C., Washington, DC

7:00 p.m. – 10:00 p.m. Reception and Dinner
Arnaud’s

Friday, March 13

7:30 a.m. – 8:15 a.m. Continental Breakfast (Queen Anne Parlor)
8:30 a.m.—9:30 a.m. First Contract Issues and Other Issues *(Queen Anne Ballroom)*
How does the RLA’s command to make every reasonable effort to make and maintain an agreement apply to the parties before they have a first agreement? Can the Carrier make changes to its policies while the parties are bargaining? When can the union strike? Do agreements to engage in expedited mediation or impasse arbitration after a certain period of time without reaching agreement work? This panel will discuss the issues arising in recent first contract negotiations and other negotiations/mediation issues.

Joshua M. Javits, *Arbitrator*, Washington, DC  

9:30 a.m. – 9:45 a.m. Break *(Queen Anne Parlor)*

9:45 a.m. – 10:45 a.m. Non-Traditional Forms of Self-Help
The panel will discuss such non-traditional forms of self-help as “work to rule,” secondary strikes, sick-outs, and CHAOS.

Rob De Lucia, *Airlines for America*  
Deirdre Hamilton, *International Brotherhood of Teamsters*

10:45 a.m. – 11:00 a.m. Break *(Queen Anne Parlor)*

11:00 a.m. – 12:45 p.m. Current Developments in Air and Rail
The panel will discuss such hot topics as whistleblower developments under the FRSA, airport authorities’ regulations, the BNSF one-man crew deal, and the STB definition of a “carrier.”

Erika Diehl, *SMART Transportation Division, Washington, DC*  
Richard Edelman, *Mooney, Green, Saindon, Murphy and Welch PC* Washington, DC  
Dmitri Iglitzin, *Schwerin Campbell Barnard Iglitzin & Lavett LLP*, Seattle, WA  
Aparna B. Joshi, *O’Melveney & Myers, LLP*, Washington, DC  
Charles Shewmake, *BNSF, Ft. Worth, TX*

12:45 p.m.-1:00 p.m. Section Business
Plans for Future Meetings