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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA-2018-0984; Airspace Docket No. 18-ASW-8]

RIN 2120-AA66

Expansion of R-3803 Restricted Area Complex; Fort Polk, LA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects a final rule published in the **Federal Register** of July 16, 2019, that expands the R-3803 restricted area complex in central Louisiana by establishing four new restricted areas, R-3803C, R-3803D, R-3803E, and R-3803F, and makes minor technical amendments to the existing R-3803A and R-3803B legal descriptions for improved operational efficiency and administrative standardization. This action corrects a typographical error listed in the effective date of that rule.

DATES: Effective date: 0901 UTC September 12, 2019.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Airspace Policy Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

The FAA published a final rule in the **Federal Register** (84 FR 33845; July 16, 2019) for Docket No. FAA-2018-0984 expanding the R-3803 restricted area complex in central Louisiana by establishing four new restricted areas, R-3803C, R-3803D, R-3803E, and R-3803F, and making minor technical amendments to R-3803A and R-3803B; Fort Polk, LA. Subsequent to publication, the FAA identified a typographical error for the date listed in

the effective date; the correct effective date is September 12, 2019. This action corrects that error.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, Expansion of R-3803 Restricted Area Complex; Fort Polk, LA, published in the **Federal Register** of July 16, 2019 (84 FR 33845), FR Doc. 2019-15119, is corrected as follows:

On page 33845, in the second column, line 28, remove the text “September 13, 2019” and add in its place “September 12, 2019.”

Issued in Washington, DC, on July 22, 2019.

Rodger A. Dean Jr.,

Manager, Airspace Policy Group.

[FR Doc. 2019-15930 Filed 7-25-19; 8:45 am]

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NATIONAL MEDIATION BOARD

29 CFR Parts 1203 and 1206

[Docket No. C-7198]

RIN 3140-AA01

Decertification of Representatives

AGENCY: National Mediation Board.

ACTION: Final rule.

SUMMARY: The National Mediation Board (NMB or Board) is amending its regulations to provide a straightforward procedure for the decertification of representatives. The Board believes this change is necessary to fulfill the statutory mission of the Railway Labor Act by protecting employees' right to complete independence in the decision to become represented, to remain represented, or to become unrepresented. This change will ensure that each employee has a say in their representative and eliminate unnecessary hurdles for employees who no longer wish to be represented.

DATES: The final rule is effective August 26, 2019.

FOR FURTHER INFORMATION CONTACT: Mary Johnson, General Counsel, National Mediation Board, (202) 692-5040, legal@nmb.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Railway Labor Act (RLA or Act), 45 U.S.C. 151, *et seq.* establishes the

NMB whose functions, among others, are to administer certain provisions of the RLA with respect to investigating disputes as to the representative of a craft or class. In accordance with its authority under 45 U.S.C. 152, Ninth, the Board has considered changes to its rules to better facilitate its statutory mission to investigate representation disputes “among a carrier’s employees as to who are the representatives of such employees.”

Under Section 2, Ninth of the RLA, it is the duty of the NMB to investigate representation disputes “among a carrier’s employees as to who are the representatives of such employees . . . and to certify to both parties, in writing . . . the name or names of the individuals or organizations that have been designated and authorized to represent the employees involved in the dispute, and certify the same to the carrier.” 45 U.S.C. 152, Ninth. The RLA also authorizes the NMB to hold a secret ballot election or employ “any other appropriate method” to ascertain the identity of duly designated employee representatives. *Id.*

Unlike the National Labor Relations Act (NLRA), the RLA has no statutory provision for decertification of a bargaining representative. The Supreme Court, however, has held that, under Section 2, Fourth, 45 U.S.C. 152, Fourth, employees of the craft or class “have the right to determine who shall be the representative of the group or, indeed, whether they shall have any representation at all.” *Bhd. of Ry., Airline & S.S. Clerks v. Ass’n for the Benefit of Non-Contract Emps.*, 380 U.S. 650, 670 (1965) (*ABNE*). In *ABNE*, the Court further noted that the legislative history of the RLA supports the view that employees have the option of rejecting collective representation. *Id.* at 669 (citing Hearings on H.R. 7650, House Committee on Interstate and Foreign Commerce, 73d Cong., 2d Sess., 34-35 (1934)). The 1934 House Report on the 1934 amendments to the RLA states with regard to Section 2, Ninth, “[i]t provides that employees shall be free to join any labor union of their choice and likewise be free to refrain from joining any union if that be their desire.” H.R. Rep. 73 No. 1944 at 2. In *Int’l Bhd. of Teamsters v. Bhd. of Ry., Airline & S.S. Clerks*, 402 F.2d 196, 202 (1968) (*BRAC*), the United States Court of Appeals for the District of Columbia