

Public Law 100-2
100th Congress

Joint Resolution

Jan. 28, 1987

[H.J. Res. 93]

To provide for a temporary prohibition of strikes or lockouts with respect to the Long Island Rail Road labor-management dispute.

Whereas the labor dispute between the rail carrier, Long Island Rail Road, and certain of the employees of such carrier represented by several labor organizations threatens essential transportation services of the Nation;

Whereas it is essential to the national interest, including the national health and defense, that essential transportation services be maintained;

Whereas the Congress finds that emergency measures are essential to security and continuity of transportation services by such carrier;

Whereas it is desirable to resolve such dispute in a manner which encourages solutions reached through collective bargaining;

Whereas the parties were unable to resolve the dispute according to the recommendations of Presidential Emergency Board No. 210, issued June 25, 1986;

45 USC 151.
51 FR 32777.

Whereas the President, pursuant to the Railway Labor Act, by Executive Order No. 12563 of September 12, 1986, created Presidential Emergency Board No. 212 to investigate the dispute and report findings;

Whereas the recommendations of Presidential Emergency Board No. 212 for settlement of such dispute have not yet resulted in a settlement; and

Whereas all the procedures for resolving such dispute provided for in the Railway Labor Act have been exhausted and have not resulted in settlement of the dispute: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9A(h) of the Railway Labor Act (45 U.S.C. 159a(h)) shall apply and be extended for an additional period of 60 days beginning on January 17, 1987, with respect to the dispute referred to in Executive Order No. 12563 of September 12, 1986, so that no change, except by agreement, shall be made by the rail carrier, Long Island Rail Road, or by the employees of such carrier represented by labor organizations which are party to such dispute, in the conditions out of which such dispute arose as such conditions existed before 12:01 ante meridiem of January 17, 1987.

Reports.

SEC. 2. (a) Not later than 10 days before the expiration of the 60-day period referred to in the first section of this joint resolution, the board established under subsection (b) shall submit to the Congress a full and comprehensive report containing—

(1) the progress, if any, of negotiations between the rail carrier, Long Island Rail Road, and the employees of such carrier represented by labor organizations which are party to such dispute;

(2) findings of fact regarding circumstances related to the dispute described in this joint resolution; and

(3) recommendations for a proposed solution of the dispute described in this joint resolution, including, but not limited to, the issues covered by Presidential Emergency Board No. 212.

(b) The National Mediation Board shall appoint a three-member board for the purpose of preparing and submitting the report described in subsection (a). No member appointed to such board shall be pecuniarily or otherwise interested in any organization of employees or any carrier. The compensation of such members shall be fixed by the National Mediation Board. The second paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply to the expenses of the board established under this subsection as if such board were a board created under such section 10.

(c) The board appointed under subsection (b) shall terminate upon the submission to the Congress of the report required under subsection (a).

Reports.

Approved January 28, 1987.

LEGISLATIVE HISTORY—H.J. Res. 93:

CONGRESSIONAL RECORD, Vol. 133 (1987):

Jan. 27, considered and passed House and Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 23 (1987):

Jan. 28, Presidential statement.