

117TH CONGRESS
1ST SESSION

H. R. 5886

To amend the Railway Labor Act to apply the provisions of such Act to maritime employers and employees in the maritime industry, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2021

Mrs. STEEL (for herself and Mr. GROTHMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Railway Labor Act to apply the provisions of such Act to maritime employers and employees in the maritime industry, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safeguarding the Sup-
5 ply Chain Act”.

1 **SEC. 2. APPLICATION OF RAILWAY LABOR ACT TO MARI-**
2 **TIME EMPLOYERS AND EMPLOYEES IN THE**
3 **MARITIME INDUSTRY.**

4 The Railway Labor Act is amended by adding at the
5 end the following:

6 **“TITLE III—COVERAGE OF MARI-**
7 **TIME EMPLOYEES AND EM-**
8 **PLOYEES IN THE MARITIME**
9 **INDUSTRY**

10 **“SEC. 301. COVERAGE OF MARITIME EMPLOYERS AND EM-**
11 **PLOYEES.**

12 “All of the provisions of title I of this Act, except
13 the provisions of section 3 thereof, are extended to and
14 shall cover every maritime employer and every employee
15 of a maritime employer, subject to its continuing authority
16 to supervise and direct the manner of rendition of the em-
17 ployee’s service.

18 **“SEC. 302. APPLICATION OF PROVISIONS.**

19 “The duties, requirements, penalties, benefits, and
20 privileges prescribed and established by the provisions of
21 title I of this Act, except the provisions of section 3 there-
22 of, shall apply to maritime employers and their employees
23 in the same manner and to the same extent as though
24 such maritime employers and their employees were specifi-
25 cally included within the definition of ‘carrier’ and ‘em-
26 ployee’, respectively, in section 1 thereof.

1 **“SEC. 303. NATIONAL MEDIATION BOARD.**

2 “(a) IN GENERAL.—The parties or either party to
3 a dispute between an employee or a group of such employ-
4 ees and a maritime employer or employers may invoke the
5 services of the National Mediation Board and the jurisdic-
6 tion of the National Mediation Board is extended to any
7 of the following cases:

8 “(1) A dispute concerning changes in rates of
9 pay, rules, or working conditions not adjusted by the
10 parties in conference.

11 “(2) Any other dispute not referable to an ad-
12 justment board, as described in section 304(b), and
13 not adjusted in conference between the parties, or
14 where conferences are refused.

15 “(b) LABOR EMERGENCIES.—The National Medi-
16 ation Board may proffer its services in case any labor
17 emergency is found by it to exist at any time.

18 “(c) INVOCATION IN DISPUTES.—The services of the
19 National Mediation Board may be invoked in a case under
20 this title in the same manner and to the same extent as
21 are the disputes covered by section 5 of title I of this Act.

22 **“SEC. 304. BOARDS OF ADJUSTMENT.**

23 “(a) TREATMENT OF PENDING DISPUTES.—The dis-
24 putes between an employee or a group of employees and
25 a maritime employer or employers growing out of griev-
26 ances, or out of the interpretation or application of agree-

1 ments concerning rates of pay, rules, or working condi-
2 tions, including cases pending and unadjusted on the date
3 of enactment of this title before the National Labor Rela-
4 tions Board, shall be handled in the usual manner up to
5 and including the chief operating officer of the maritime
6 employer designated to handle such disputes; but, failing
7 to reach an adjustment in this manner, the disputes may
8 be referred by petition of the parties or by either party
9 to an appropriate adjustment board, as described in sub-
10 section (b), with a full statement of the facts and sup-
11 porting data bearing upon the disputes.

12 “(b) ESTABLISHMENT OF SPECIAL BOARDS OF AD-
13 JUSTMENT.—It shall be the duty of every maritime em-
14 ployer and its employees, acting through their representa-
15 tives, selected in accordance with the provisions of this
16 title, to establish a board of adjustment of jurisdiction not
17 exceeding the jurisdiction which may be lawfully exercised
18 by system, group, or regional boards of adjustment, under
19 the authority of section 3.

20 “(c) AUTHORITY TO ESTABLISH A TEMPORARY NA-
21 TIONAL BOARD OF ADJUSTMENT.—Such boards of adjust-
22 ment may be established by agreement between employees
23 and maritime employers either on any individual maritime
24 employer, or system, or group of maritime employers and
25 any class or classes of its or their employees; or pending

1 the establishment of a permanent National Board of Ad-
2 justment in accordance with this title. Nothing in this Act
3 shall prevent such maritime employers, or any class or
4 classes of their employees, both acting through their rep-
5 resentatives selected in accordance with provisions of this
6 title, from mutually agreeing to the establishment of a na-
7 tional board of adjustment of temporary duration and of
8 similarly limited jurisdiction.

9 **“SEC. 305. NATIONAL MARITIME ADJUSTMENT BOARD.**

10 “(a) ESTABLISHMENT.—When, in the judgment of
11 the National Mediation Board, it shall be necessary to
12 have a permanent National Board of Adjustment in order
13 to provide for the prompt and orderly settlement of dis-
14 putes between maritime employers and their employees,
15 growing out of grievances or out of the interpretation or
16 application of agreements between maritime employers
17 and any class or classes of employees, covering rates of
18 pay, rules, or working conditions, the National Mediation
19 Board is hereby empowered and directed, by its order duly
20 made, published, and served, to direct such maritime em-
21 ployers and such labor organizations of their employees,
22 national in scope, as have been or may be recognized in
23 accordance with the provisions of this Act, to select and
24 designate four representatives who shall constitute a board

1 which shall be known as the ‘National Maritime Adjust-
2 ment Board’.

3 “(b) SELECTION OF MEMBERS.—Two members of
4 the National Maritime Adjustment Board shall be selected
5 by maritime employers and two members by the labor or-
6 ganizations of the employees, within thirty days after the
7 date of the order of the National Mediation Board, in the
8 manner and by the procedure prescribed by title I of this
9 Act for the selection and designation of members of the
10 National Railroad Adjustment Board.

11 “(c) MEETINGS AND RULES FOR PROCEEDINGS.—
12 The National Maritime Adjustment Board shall meet
13 within forty days after the date of the order of the Na-
14 tional Mediation Board directing the selection and des-
15 ignation of its members and shall organize and adopt rules
16 for conducting its proceedings, in the manner prescribed
17 in section 3.

18 “(d) VACANCIES; COMPENSATION; HEARINGS.—Va-
19 cancies in membership or office shall be filled, members
20 shall be appointed in case of failure of the maritime em-
21 ployers or of labor organizations of the employees to select
22 and designate representatives, members of the National
23 Maritime Adjustment Board shall be compensated, hear-
24 ings shall be held, findings and awards made, stated,
25 served, and enforced, and the number and compensation

1 of any necessary assistants shall be determined and the
2 compensation of such employees shall be paid, all in the
3 same manner and to the same extent as provided with ref-
4 erence to the National Railroad Adjustment Board by sec-
5 tion 3.

6 “(e) POWERS AND DUTIES.—The powers and duties
7 prescribed and established by the provisions of section 3
8 with reference to the National Railroad Adjustment Board
9 and the several divisions thereof are hereby conferred upon
10 and shall be exercised and performed in like manner and
11 to the same extent by the National Maritime Adjustment
12 Board, not exceeding, however, the jurisdiction conferred
13 upon the National Maritime Adjustment Board by the
14 provisions of this title.

15 “(f) TRANSFERS OF JURISDICTION.—From and after
16 the organization of the National Maritime Adjustment
17 Board, if any system, group, or regional board of adjust-
18 ment established by any maritime employer or employers
19 and any class or classes of its or their employees is not
20 satisfactory to either party thereto, such party, upon nine-
21 ty days’ notice to the other party, may elect to come under
22 the jurisdiction of the National Maritime Adjustment
23 Board.

1 **“SEC. 306. CASES PENDING IN THE NATIONAL LABOR RELA-**
2 **TIONS BOARD.**

3 “All cases referred to the National Labor Relations
4 Board, or over which the National Labor Relations Board
5 shall have taken jurisdiction, involving any dispute arising
6 from any cause between any maritime employer engaged
7 in interstate or foreign commerce and employees of such
8 maritime employer or employers, and unsettled on the
9 date of enactment of this title, shall be handled to conclu-
10 sion by the National Mediation Board. The books, records,
11 and papers of the National Labor Relations Board perti-
12 nent to such case or cases, whether settled or unsettled,
13 shall be transferred to the custody of the National Medi-
14 ation Board.

15 **“SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

16 “There is hereby authorized to be appropriated such
17 sums as may be necessary for expenditure by the Medi-
18 ation Board in carrying out the provisions of this Act.

19 **“SEC. 308. DEFINITIONS.**

20 “In this title:

21 “(1) The term ‘maritime employer’ has the
22 meaning given the term ‘employer’ in section 2(4) of
23 the Longshore and Harbor Workers’ Compensation
24 Act.

1 “(2) The term ‘employee’ has the meaning
2 given such term in section 2(3) of such Act.”.

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