

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4755

To amend title 49, United States Code, to modify the mediation and implementation requirements of section 40122 regarding changes in the Federal Aviation Administration personnel management system, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2006

Mrs. KELLY (for herself, Mr. COSTELLO, Mr. KING of New York, Mr. DAVIS of Kentucky, Mr. ENGLISH of Pennsylvania, Mr. WALSH, Mr. NEY, Mr. LOBIONDO, Mr. SWEENEY, Mr. SIMMONS, Mr. RENZI, Mr. MCHUGH, Mr. GERLACH, Mr. BOEHLERT, Mrs. EMERSON, Mr. DEFazio, Ms. BERKLEY, Mr. PASCRELL, Mr. SALAZAR, Mr. HOLDEN, Mr. ANDREWS, Mr. SCHIFF, Mr. BISHOP of New York, Mr. CONYERS, Mr. HONDA, Mr. PALLONE, Mr. PASTOR, Mr. MICHAUD, Mr. BOSWELL, Ms. BEAN, Mr. DAVIS of Illinois, and Mr. LARSEN of Washington) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to modify the mediation and implementation requirements of section 40122 regarding changes in the Federal Aviation Administration personnel management system, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Aviation Ad-  
3 ministration Fair Labor Management Dispute Resolution  
4 Act of 2006”.

5 **SEC. 2. FEDERAL AVIATION ADMINISTRATION PERSONNEL**  
6 **MANAGEMENT SYSTEM.**

7 Section 40122(a)(2) of title 49, United States Code,  
8 is amended to read as follows:

9 “(2) IMPLEMENTATION OF DISPUTED PLAN.—

10 “(A) MEDIATION.—If the Administrator  
11 does not reach an agreement under paragraph  
12 (1) with the exclusive bargaining representa-  
13 tives, the services of the Federal Mediation and  
14 Conciliation Service shall be used to attempt to  
15 reach such agreement.

16 “(B) CONGRESSIONAL ACTION.—If the  
17 services of the Federal Mediation and Concilia-  
18 tion Service do not lead to an agreement, the  
19 Administrator shall transmit to the Senate and  
20 the House of Representatives the proposed  
21 change to the personnel management system,  
22 together with the objections of the exclusive  
23 bargaining representatives to the change and  
24 the reasons for such objections. The Adminis-  
25 trator may not implement the proposed change  
26 unless a bill is enacted into law that specifically

1 authorizes the change during the 60-day period  
2 beginning on the date on which both Houses of  
3 Congress receive the proposed change trans-  
4 mitted by the Administrator. For purposes of  
5 this subparagraph, the 60-day period shall not  
6 include any period during which Congress has  
7 adjourned sine die.

8 “(C) BINDING ARBITRATION.—If a bill de-  
9 scribed in subparagraph (B) is not enacted into  
10 law within the 60-day period, the Administrator  
11 and the bargaining representatives shall submit  
12 the proposed change to binding arbitration in  
13 accordance with the provisions of subchapter IV  
14 of chapter 5 of title 5, United States Code.”.

15 **SEC. 3. EFFECTIVE DATE.**

16 The amendment made by this Act shall apply to  
17 changes described in section 40122(a)(1) of title 49,  
18 United States Code, being negotiated on or after the date  
19 of the introduction of this Act.

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