

109TH CONGRESS
2^D SESSION

S. 2201

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.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2006

Mr. OBAMA (for himself, Mr. INOUE, Mrs. MURRAY, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. FEDERAL AVIATION ADMINISTRATION PERSONNEL**
2 **MANAGEMENT SYSTEM.**

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

5 “(2) IMPLEMENTATION OF DISPUTED PLAN.—

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

12 “(B) CONGRESSIONAL ACTION.—If the
13 services of the Federal Mediation and Concilia-
14 tion Service do not lead to an agreement, the
15 Administrator shall transmit to the Senate and
16 the House of Representatives the proposed
17 change to the personnel management system,
18 together with the objections of the exclusive
19 bargaining representatives to the change and
20 the reasons for such objections. The Adminis-
21 trator may not implement the proposed change
22 unless a bill is enacted into law that specifically
23 authorizes the change during the 60-day period
24 beginning on the date on which both Houses of
25 Congress receive the proposed change trans-
26 mitted by the Administrator. For purposes of

1 this subparagraph, the 60-day period shall not
2 include any period during which Congress has
3 adjourned sine die.

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

11 **SEC. 3. EFFECTIVE DATE.**

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

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