

## **FMCS SHUT DOWN CRISIS**

Yesterday during normal business hours, Commissioners of the Federal Mediation and Conciliation Service were notified that as of 5:00 P.M. they would be terminated from service as mediators of labor relations disputes in both the public and private sectors. All field offices have been closed, and the mediators' access to telephones and computers in their offices was terminated. There were negotiations under way in various cities around the country that were immediately stopped. In some situations, public employers having been served with strike notices and expecting assistance from mediators were stunned at this development and had to figure out how to deal with this.

We are advising our clients about this crisis so that they can take adequate measures to protect their interests. It is important to note that this change has not modified the requirement that in the private sector that we are required by statute to send the 60- and 30-day notices to the other party to the contract and the FMCS of an intent to terminate or modify the agreement.

In addition, while the situation remains fluid, the latest information we have received is that FMCS will no longer be providing grievance arbitration panels that are usually requested pursuant to the grievance arbitration provisions of the CBAs.

Most of the unions in this country have experienced the first class and important work of the FMCS in helping to resolve collective bargaining disputes, providing lists of arbitrators, and coordinating and training for interest-based bargaining.

Interested and concerned employers and union representatives are beginning to meet to discuss ways to protect and preserve this vital function which protects household earnings, safeguards company revenues and services and ensures the free flow of robust commerce.

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