

*Third*  
ANNUAL REPORT OF THE  
NATIONAL  
MEDIATION  
BOARD

INCLUDING  
THE REPORT OF THE  
NATIONAL RAILROAD  
ADJUSTMENT BOARD



*For the Fiscal Year Ended* JUNE 30, 1937



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ADJUSTMENT BOARD

*For the Fiscal Year Ended* JUNE 30, 1937

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## NATIONAL MEDIATION BOARD

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JAMES W. CARMALT, *Chairman* (term expires Feb. 1, 1939).

OTTO S. BEYER (term expires Feb. 1, 1938).

WILLIAM M. LEISERSON (term expires Feb. 1, 1940).

GEORGE A. COOK, *Secretary*

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## LETTER OF TRANSMITTAL

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NATIONAL MEDIATION BOARD,  
OFFICE OF THE CHAIRMAN,  
Washington, D. C., November 1, 1937.

*To the Senate and House of Representatives of the United States of  
America in Congress assembled:*

Pursuant to the provisions of section 4, second, of Public, No. 442, approved June 21, 1934, I have the honor to submit the Third Annual Report of the National Mediation Board for the fiscal year ended June 30, 1937, together with the annual report of the National Railroad Adjustment Board, as required by section 3, first (v), of the same act.

JAMES W. CARMALT, *Chairman, year 1937-38.*





# **THIRD ANNUAL REPORT OF THE NATIONAL MEDIATION BOARD**

## **I. SUMMARY AND CONCLUSIONS FROM THE RECORD OF THE YEAR**

The Railway Labor Act lays down the labor policy which Congress has prescribed for the railways and air lines of the country. The intent of this policy is to insure that the service rendered by these forms of transportation be not menaced or disturbed by labor difficulties. How well this purpose has been accomplished was made strikingly clear during the fiscal year ending June 30, 1937. In a year outstanding for serious labor disputes resulting in plant shut-downs and cessations of operations, the railways and air lines have continued to serve the public without serious interruption. The extent to which the Railway Labor Act and the agencies created by it have contributed to this result is briefly indicated in the following subdivisions of this section.

### **1. REPRESENTATION DISPUTES**

Basic to the making and maintaining of mutually satisfactory labor agreements are representatives freely chosen by the employees. To assure such free choice, the Railway Labor Act was amended in 1934 and the National Mediation Board was empowered to investigate disputes among employees over representation and to certify who may serve as representatives. On the whole since 1934 the act has operated progressively to facilitate the settlement of labor representation questions which otherwise would have seriously disturbed transportation labor relations and adversely affected the morale of the service. While the number of such disputes arising year by year since 1934 has tended to remain substantially constant, the number of employees and the number of crafts or classes of employees involved therein have decreased. The indications thus are that when such disputes are once settled on their merits under the provisions of the Railway Labor Act, they tend to remain settled, particularly so if agreements with properly determined representatives are promptly negotiated.

In its annual report for 1936, the Board called attention to the increase in representation disputes between railroad labor organizations national in scope, pointing out at the same time that such disputes were regrettable when viewed from the standpoint of the welfare of the employees concerned and the good of the industry. Furthermore, the Board stated that such disputes also made demands upon its time and energy which could better be devoted to the more basic purposes for which the Board was created.

In the face of this admonishment the Board is pleased to observe that the record of interorganization disputes over representation for the fiscal year 1937 shows an improvement over the previous year. But room for more improvement still remains, in fact, will so remain until labor organizations duly accredited as representatives under the Railway Labor Act compose their interorganization representation issues in an orderly way among themselves.

## 2. MEDIATION PROCEEDINGS

Cases handled by the Board in mediation are finally closed out either by signed agreements, by agreements to arbitrate, by withdrawals secured through mediation, by voluntary withdrawals prior to mediation, by dismissals by the Board, or by refusals to arbitrate after the Board has concluded its efforts at mediation.

The progressive stabilization of labor representation just noted has enabled the Board during the year to devote much more of its time to mediation proceedings with the result that the total number of mediation cases disposed of in the course of the year has practically doubled as compared with the two previous years. The number of cases disposed of by mediation agreements shows the greatest increase, while there has also been an increase in the number of cases withdrawn, either as a result of mediation or prior to mediation.

On the whole, the experience of the year warrants the conclusion that the healthy tendencies operating to maintain peace and harmony between labor and management, released when the Railway Labor Act was originally passed and subsequently amended in 1934, have continued to manifest themselves.

## 3. LABOR AGREEMENTS

As has frequently been pointed out the fundamental purpose of the Railway Labor Act is to facilitate the establishment of labor standards governing employment on the railroads and air lines through collective bargaining. The best test of the soundness of the act is therefore the extent to which labor agreements defining such standards have been entered into between the various types of carriers subject to the act and the different crafts and classes of their employees.

The record for the year as determined by this test shows further substantial progress in the accomplishment of this basic objective of the act. Not only have the rates of pay, rules, and working conditions of many more railroad employees not heretofore covered by labor agreements been established by such agreements, but the air carriers and their employees have also begun to take advantage of the provisions of the act and have negotiated appropriate labor agreements. In addition, new labor agreements have also been entered into between various types of joint transportation agencies and companies controlled by the railroads and the employees of such agencies or companies, all of which is indicative of the growing acceptance of the policies underlying the Railway Labor Act. In the negotiation of some of these particular agreements, the Board has been helpful through mediation.

The foregoing remarks apply primarily to agreements between individual carriers and classes or crafts of their employees. In addition to the extension of such individual labor agreements, the practice of holding joint conferences between representatives of most of the class I railroads of the country and representatives of one or more classes or crafts of railroad employees and making agreements of one kind or another having nation-wide application has assumed growing proportions, particularly in the year just closed. During the past year there has been added to the national wage deduction and restoration agreements of prior years and the national agreement protecting employees against unemployment resulting

from coordination and consolidation of railroad facilities four more agreements covering matters of mutual interest to railroads and their employees. These agreements cover such matters as retirement insurance; the employment of firemen (helpers) on Diesel electric, oil electric, gas electric, and similar types of newer motive power as used on streamlined trains and in yard service; the determination of safe operating and fair and reasonable physical working conditions as they apply to train dispatchers, as well as a similar program of joint conferences applying to railroad maintenance-of-way workers.

The faculty of the railroads collectively and the representatives of their employees to hold joint conferences and enter into understandings constructively disposing of problems affecting the industry and its employees as a whole is indicative of the steady basic improvement which has been taking place in recent years in the attitude of railroad managements and railroad labor organizations toward one another. The consummation of such nation-wide understandings is, in the opinion of the National Mediation Board, deserving of all possible encouragement and commendation. Insofar as other problems may arise common to all the railroads, regionally or nationally, and their employees, it is the hope of the Board that they may likewise be considered in joint conference and disposed of through understandings regional or nation-wide in scope.

#### 4. THREATENED EMERGENCIES

In the event a dispute is not amicably disposed of by the orderly methods prescribed in the Railway Labor Act and a situation arises which, in the judgment of the Mediation Board, threatens to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service, the Board notifies the President who may, in his discretion, create a special board to make an investigation and report to him within 30 days on the circumstances attendant upon the threatened interruption of service. For 30 days after such a special board has made its report no change, except by agreement, may be made by either party to the dispute in the conditions out of which the dispute arose. Boards of this kind are usually referred to as emergency boards.

During the year covered by this report the President appointed three emergency boards under the provisions of the Railway Labor Act. These made careful and enlightened investigations and in each case recommended solutions which were adopted by the parties concerned and resulted finally in the amicable adjustment of the difficulties at the bottom of the disputes, thus avoiding the threatened interruption to interstate commerce.

Aside from the helpfulness of these emergency boards in composing particular difficulties, their reports constitute valuable contributions to the literature on the solution of labor problems as they may arise from time to time on our railroads. Interestingly enough, two of the disputes investigated had their origin primarily in sharp differences among well established and recognized national labor organizations over matters of representation in which the carriers had, through action on their part, also become involved.

When disputes of this kind develop sufficient heat to threaten strikes, it is because issues are involved in respect of which com-

promises appear exceedingly difficult to the labor organizations concerned. In the light of this fact it is gratifying to note that the processes of the Railway Labor Act which were primarily provided to facilitate the amicable adjustment of disputes between carriers and their employees over rates of pay, rules, and working conditions also proved helpful in finding solutions to labor disputes having their origin primarily in differences between labor organizations.

#### 5. STRIKES

Despite the substantial progress in improved railroad labor relations just noted, two railroad strikes did take place in the course of the year. In addition, there were two minor stoppages which were called off upon request of the Board. In another case a few employees on a small electric railway left the service, and the railroad abandoned operation.

One of the strikes was due to the inability of the Board to send a mediator to Alaska where it occurred. It involved the employees of the Copper River and Northwestern R. R., operated by the Kennecott Copper Co. in connection with its ore mines. The employees postponed their strike action for several weeks pending the arrival of a mediator, but when it appeared that the Board would not have a mediator available for another month the employees left the service. The Board is confident that if it had had sufficient staff to send a man immediately to handle the dispute in Alaska this strike would not have occurred:

This same railroad was also involved in one of the short stoppages. About nine months after the strike referred to above had been settled by agreement of the parties another dispute occurred. The employees fearing again that the Board would be unable to send a mediator to Alaska left the service. When they were advised, however, that a mediator would be sent within a week but that he could not mediate if they were on strike, they promptly went back to work. The other short stoppage was precipitated by hasty action of the unlicensed deck, engine room, and kitchen personnel on the car ferries of the Wabash, Ann Arbor, Pere Marquette, and Grand Trunk Railroads operating on Lake Michigan. When these employees were advised that they could not secure the benefits of the Railway Labor Act while engaged in premature stoppages, they returned to work and relied upon mediation under the Railway Labor Act to help compose their difficulties. In this case the employees involved were not identified with any of the typical national railway labor organizations which represent the great majority of the employees on the railroads.

The most serious strike occurred among the train and engine service employees, both white and colored, on the Louisiana & Arkansas Railway System as represented by such national railroad unions. It grew out of the failure of the management of this system to give sympathetic consideration to the recommendations of emergency boards set up by the President in prior crises; to apply awards of the National Railroad Adjustment Board; and to confer jointly with the duly accredited representatives of the employees as contemplated by the Railway Labor Act. All the peaceful processes provided by the act for the adjustment of labor disputes had been exhausted before the employees finally decided to withdraw from the service. The strike, which continued for nine weeks, was eventually composed through the good offices

of the Governor of Louisiana who intervened on his own initiative and was assisted by a representative of the Mediation Board. The employees all returned to work after the company agreed to abide by the recommendations of the emergency boards, the awards of the National Railroad Adjustment Board, and otherwise manifest proper regard for the intent and spirit of the Railway Labor Act.

#### 6. COURT CASES

While actions of the National Mediation Board have been subject to consideration by the courts, such consideration, with two exceptions, has been confined to matters of procedure and administrative judgment. The two excepted cases involved issues which were basic to the future effectiveness of the act and the usefulness of the National Mediation Board. The first such case consisted of a challenge of the amendments to the act adopted in 1934—the constitutionality of the act without its amendments having been previously sustained by the Supreme Court of the United States in the case of *Texas and New Orleans Railroad Co. et al. vs. the Brotherhood of Railway Clerks et al.*<sup>1</sup> After the District Court and the Circuit Court of Appeals each in turn sustained the amended law, the issues involved were reviewed by the Supreme Court of the United States, and the opinions of the lower courts unanimously upheld in *The Virginian Railway Co. vs. System Federation No. 40, Railway Employees Department of the American Federation of Labor*.<sup>2</sup> The case of *The Brotherhood of Railroad Shop Crafts of America, Rock Island System, Grand Lodge No. 3, et al., vs. Lowden et al., Trustees*,<sup>3</sup> was the second court case having fundamental significance and centered around the constitutionality of the provision prohibiting carriers subject to the act from deducting dues, fees, assessments, or other contributions from the wages of employees, i. e., the so-called check-off. The validity of this feature of the law was sustained by both the District Court and the Court of Appeals. The Supreme Court of the United States in due time denied certiorari,<sup>4</sup> thus, in effect, sustaining the position of the Court of Appeals.

#### 7. NATIONAL RAILROAD ADJUSTMENT BOARD

The National Railroad Adjustment Board was established by the 1934 amendments to the Railway Labor Act for the purpose of providing a tribunal to which railroads and their employees could refer for final adjudication disputes growing out of specific claims or grievances, or out of the interpretation and application of the terms of established labor agreements.

The membership of the Board is composed of an equal number of representatives of railroad employees and railroad companies. In the event of the inability through deadlock of the bipartisan members of the Board to agree upon an award, they are required, if possible, to agree among themselves upon a referee or, if unable to so agree, to ask the National Mediation Board to appoint one.

The Adjustment Board does not participate in any way in the process of establishing the labor standards on the railroads. This is left entirely to direct negotiations, mediation, and arbitration. The

<sup>1</sup> 281 U. S. 548.

<sup>2</sup> 300 U. S. 515.

<sup>3</sup> 86 F. (2d) 458 (C. C. A. 10th).

<sup>4</sup> 300 U. S. 659.

Adjustment Board, as its name implies, confines its activities strictly to the adjustment of differences that may arise from time to time over how such labor standards are or should be applied in accordance with the provisions of existing agreements.

The National Railroad Adjustment Board has proved itself to be indispensable to the effective maintenance of labor agreements on the railroads. The fact that the carriers and their employees have a tribunal to which they may go for a final and binding determination of disputes growing out of differences over the meaning of the rules and regulations controlling employment on the railroads has definitely operated over the three years of the Board's existence to accomplish two results. First, it has aroused a better respect on the part of all concerned for the provision of negotiated railroad labor agreements. Second, and because of this, it has caused both railroad managements and labor organizations in many cases to reexamine on the ground their day-by-day relations with one another, particularly in the light of established railroad labor agreements, and to take steps to avoid misunderstandings or, if misunderstandings do arise, attempt to adjust them more in keeping with the broad intent underlying such labor agreements.

While the total number of such cases referred to the Adjustment Board from all of the railroads of the United States has not measurably declined in the course of the past three years owing in part to the fact that there were many cases pending and unadjusted referable to the Board when it was originally established, the fact remains that the Board has quite definitely contributed its share to the general improvement in railroad labor relations which has become apparent in the last year. Greater realization on the part of all concerned of the basic value of the Adjustment Board should therefore gradually result in the lessening of cases referred to it.

#### 8. LABOR RELATIONS IN THE AIR TRANSPORT INDUSTRY

The commercial air lines and their employees were made subject to the provisions of the Railway Labor Act in 1936 by amendments in the form of title II of the act. The year just closed was the first full fiscal year during which title II was operative. The year witnessed a response to the provisions of the act in that voluntary organization, particularly among the maintenance and radio employees of the air lines, came into being and initiated collective-bargaining conferences which culminated in the making of several agreements establishing rates of pay, hours, and working conditions of air line mechanics and radio operators. Despite their relatively extensive organization, the pilots of the air lines have not yet seen fit to enter into agreements with the air carriers further defining their standards of employment. No disputes over representation arose in the course of the year among the air line employees.

Such developments in labor relations as have taken place in the air transport industry thus far have proceeded in keeping with the letter and spirit of the Railway Labor Act. Given a relatively new industry, not heretofore seriously troubled by misunderstandings between employees and managements, and subjecting it and its employees to a labor policy such as is at the bottom of the Railway Labor Act apparently makes for the amicable and constructive development of labor relations in such an industry.

## II. RECORD OF CASES

### 1. CASES HANDLED BY THE BOARD

On July 1, 1936, there were on the Board's docket 185 pending and unsettled cases.<sup>1</sup> During the year 222 new cases were filed, making a total of 407 cases in which the services of the Board were required. By the end of the fiscal year the Board had finally disposed of 259 cases, leaving 148 cases open and pending on June 30, 1937.

The 259 cases disposed of represented an increase of 59 over the preceding year when the number was 200. The new cases received increased by 19, from 203 during the preceding year to 222 in the year covered by this report. With the aid of an additional mediator authorized by Congress, the Board disposed of slightly more than the number of new cases filed during the year, and thus was able to reduce the backlog of pending cases from 185 in 1936 to 148 in 1937, which the Board still considers too large to enable disputes to be handled as promptly as would be desirable.

Cases subject to the jurisdiction of the National Mediation Board are of two general kinds: (1) Disputes between carriers and their employees growing out of the making of new agreements or changing existing agreements requiring mediation by the Board. (2) Disputes among employees as to who shall be their duly designated and authorized representatives requiring investigation and certification by the Board. Those in the first category are designated as mediation cases and those in the second category as representation cases. The Board is sometimes required to interpret mediation agreements reached as a result of the efforts of the Board to settle disputes between carriers and employees. Such disputes have been designated as interpretation cases, but none was filed during the fiscal year 1936-37.

Table I is a summary of the cases received and disposed of by the Board during the year, classified by kinds of disputes:

TABLE I.—*Number of cases received and disposed of, 1936-37*

| Mediation                                | Mediation | Representation | Total |
|--|-----------|----------------|-------|
| Open cases:                              |           |                |       |
| On hand June 30, 1936.....               | 138       | 47             | 185   |
| Received July 1, 1936-June 30, 1937..... | 115       | 107            | 222   |
| Total.....                               | 253       | 154            | 407   |
| Cases disposed of.....                   | 158       | 101            | 259   |
| On hand June 30, 1937.....               | 95        | 53             | 148   |

### 2. DISPOSITION OF CASES

Of the 259 cases disposed of by the Board during the year, 101 were representation disputes among the employees, and 158 were disputes between carriers and employees requiring mediation of changes in rates of pay, rules, or working conditions.

The representation disputes were settled by elections and certifications of representatives in 55 cases. In 20 cases no elections were held, but checks of employees' authorizations against the pay-roll records of the carrier were made and certifications issued accordingly. The total number of cases in which certifications were issued was 75.

<sup>1</sup> Second annual report, p. 5.

In eight additional cases the representatives were recognized by the management without formal certification. Of the remaining representation cases nine were withdrawn as a result of investigation by the Board, and four were withdrawn before investigation was begun. Five cases were dismissed when investigation showed insufficient evidence that a dispute existed.

Of the 158 mediation cases 62 were settled by written mediation agreements. In two cases agreements were signed submitting the controversy to arbitration as provided in section 7 of the act. One cases was settled partly by a mediation agreement and partly by agreement to arbitrate those issues not settled by mediation. In 34 cases the mediation proceedings resulted in the cases being withdrawn, and 34 were withdrawn before mediation began. The Board closed the files in 21 cases after arbitration was refused, and 4 cases were dismissed or adjusted.

Table II analyzes the disposition of the cases through the efforts of the Board.

TABLE II.—Disposition of cases by the Board

|   |     |  |
|---|-----|--|
| Representation cases:   |     |  |
| Election and certification of representatives                         | 55  |  |
| Check of authorizations   | 20  |  |
| Representatives recognized without formal certification               | 8   |  |
| Withdrawn as result of investigation                                  | 9   |  |
| Withdrawn prior to investigation                                      | 4   |  |
| Dismissed (no dispute)  | 5   |  |
| Total   | 101 |  |
| Mediation cases:  |     |  |
| Mediation agreements signed   | 62  |  |
| Arbitration agreements signed   | 2   |  |
| Mediation and arbitration agreements signed                           | 1   |  |
| Withdrawn through mediation   | 34  |  |
| Withdrawn before mediation began                                      | 34  |  |
| Closed by Board (adjusted, 2; dismissed, 2; refusal to arbitrate, 21) | 25  |  |
|   | 158 |  |
| Grand total   | 259 |  |

### 3. CARRIERS INVOLVED IN DISPUTES

Cases disposed of by the Board during the year involved 183 different railroads. Practically all branches of railroad service were affected by these disputes, and 63 carriers were involved in more than one case.

Table III shows the classes of employees and the number of carriers involved in the disputes.

TABLE III.—Classes of employees and number of carriers involved in disputes July 1, 1936, to and including June 30, 1937

| Classes of employees   | Representation  |                    | Mediation cases |                    | Total           |                    |
|--|-----------------|--------------------|-----------------|--------------------|-----------------|--------------------|
|  | Number of cases | Number of carriers | Number of cases | Number of carriers | Number of cases | Number of carriers |
| Engine, train and yard service   | 29              | 29                 | 55              | 47                 | 84              | 76                 |
| Maintenance of equipment employees   | 27              | 26                 | 6               | 7                  | 33              | 33                 |
| Clerks, office, express, and station employees                                     | 17              | 16                 | 17              | 21                 | 34              | 37                 |
| Maintenance of way and signal employees  | 8               | 8                  | 21              | 23                 | 29              | 31                 |
| Telegraphers and dispatchers   | 6               | 6                  | 36              | 35                 | 42              | 41                 |
| Dining car stewards, cooks and waiters, pullman porters, maids, pullman conductors | 11              | 10                 | 1               | 1                  | 12              | 11                 |
| Marine employees   | 3               | 3                  | 18              | 10                 | 21              | 13                 |
| Combination of crafts or classes   | 0               | 0                  | 4               | 4                  | 4               | 4                  |
| Total  | 101             | 98                 | 158             | 148                | 259             | 246                |
| Carriers duplicated  |                 | 15                 |                 | 48                 |                 | 63                 |
| Total  | 101             | 83                 | 158             | 100                | 259             | 183                |



### III. REPRESENTATION DISPUTES—ELECTIONS

#### 1. ELECTIONS AND CERTIFICATION OF REPRESENTATIVES

The Board received during the year 107 representation cases which together with 47 remaining on the docket at the end of the preceding year made a total of 154 requiring investigation. Of these, 101 were disposed of, leaving 53 open and pending on June 30, 1937.

The 107 new cases received show an increase of 8 cases from the preceding year when the number received was 99. The cases disposed of decreased in number from 117 to 101.

Many more than 101 disputes were involved in the representation cases disposed of. In most of them several different crafts or classes of employees were in disagreement as to their representation, and the Board is required by the act to ascertain the choice of representatives for each craft or class separately. The total number of crafts or classes of employees whose representation was in dispute in the 101 cases was 168. The number of employees involved was 57,923. Corresponding to the decrease in the number of cases disposed of, the number of crafts and the number of employees involved were smaller than in the preceding year.

Of the 168 crafts involved in the 101 cases disposed of, 78 were certified after elections and 43 were certified on the basis of checks of employees' authorizations. Elections in two crafts or classes resulted in no majority for any organization, and no certifications were made for these. Certifications were thus issued to representatives of a total of 121 crafts.

In 17 additional crafts disputes were settled by securing recognition of representatives without formal certification. Disputes in another 17 crafts were withdrawn as a result of investigation by the Board, and in 4 crafts the disputes were withdrawn before investigation began. In seven crafts investigation revealed that no dispute existed, and the Board therefore dismissed the cases.

Table IV shows the representation cases disposed of, by number of crafts and employees involved in the disputes.

TABLE IV.—Number of crafts or classes and employees involved in representation cases disposed of, 1936-'37

| Method of disposition                                 | Number of cases | Number of crafts or classes | Number of employees |               |
|---|-----------------|-----------------------------|---------------------|---------------|
|   |                 |                             | Eligible            | Participating |
| Elections.....  | 55              | 80                          | 25,255              | 22,240        |
| Check of authorizations.....                          | 20              | 43                          | 2,225               | 1,438         |
| Representatives recognized without certification..... | 8               | 17                          | 22,633              | .....         |
| Withdrawn as result of investigation.....             | 9               | 17                          | 4,970               | .....         |
| Withdrawn prior to investigation.....                 | 4               | 4                           | 297                 | .....         |
| Dismissed.....  | 5               | 7                           | 2,543               | .....         |
| Total.....  | 101             | 168                         | 57,923              | 23,678        |

<sup>1</sup> 18,366 of this number were eligible to participate in selection of representatives for clerical and station employee class or craft on Pennsylvania R. R., which dispute was adjusted by the contending organizations and new representative recognized by the carrier after investigation by the National Mediation Board had been in continuous progress for more than 2 months; 2,241 of this number were eligible to participate in selection of representative for clerical and station employee class or craft on Lehigh Valley Ry., which dispute was adjusted by the contending organizations and new representative recognized by the carrier after investigation by the National Mediation Board had been in continuous progress for more than 1 month.

In every one of the representation cases the representative chosen was an organization of employees; in none of them was an individual or group of individuals selected as representative. As explained in previous reports,<sup>1</sup> the employees' organizations are of two general kinds: (1) Labor organizations, national in scope, often referred to as standard unions, and (2) system associations, or organizations of employees confined to one railroad system, commonly referred to as company unions. In a few cases unions primarily local in nature (hereinafter referred to as local unions) were involved.

Of the 168 crafts or classes of employees whose representation was in dispute, 52 were contests between national labor organizations and system associations and 78 between national labor organizations and unorganized employees. Local unions contested with system associations in two crafts and with unorganized employees in two crafts. A total of 134 crafts; or nearly 80 percent of the 168 crafts, was involved in disputes between national or local unions versus system associations and unorganized employees. The total number of employees involved in these disputes was 52,066, or nearly 90 percent of the 57,923 employees involved in all representation disputes.

In 30 of the crafts the disputes were between 2 or more national labor organizations, while in 4 crafts local unions were in opposition to national labor organizations. Thus 34 crafts or slightly more than 20 percent of the crafts involved in the disputes were interunion contests. The number of employees involved in these disputes was 5,857, or approximately 10 percent of the total employees concerned with representation disputes.

The representation disputes between different types of organizations are shown in table V by cases, crafts, and employees involved.

TABLE V.—*Types of labor organizations contending to represent employees by cases, crafts or classes, and employees involved*

| Parties to disputes  | Cases | Crafts or classes | Em-<br>ployees in-<br>volved |
|--|-------|-------------------|------------------------------|
| National organizations versus system associations.....                                   | 26    | 52                | 44, 581                      |
| National organizations versus unorganized employees.....                                 | 40    | 78                | 6, 034                       |
| Local unions versus system associations.....   | 2     | 2                 | 1, 117                       |
| Local unions versus unorganized employees.....   | 2     | 2                 | 334                          |
| Total national or local unions versus system associations and unorganized employees..... | 70    | 134               | 52, 066                      |
| National organizations versus national organizations.....                                | 27    | 30                | 4, 928                       |
| National organizations versus local unions.....  | 4     | 4                 | 929                          |
| Total interunion disputes.....   | 31    | 34                | 5, 857                       |
| Grand total.....   | 101   | 168               | 57, 923                      |

## 2. DISPUTES BETWEEN UNIONS AND SYSTEM ASSOCIATIONS

Of the 92 crafts or classes certified by the Board in settlement of disputes between unions and system associations, 76 were won by national labor organizations, 12 were won by system associations, and 4 by local unions. Elections in two crafts or classes resulted in no majority for any organizations, and no certifications were issued for these.

<sup>1</sup> Second annual report, p. 8; First annual report, p. 16.

In these disputes, 20,693 employees participated in elections or otherwise designated their choice of representatives as follows: National labor organizations, 13,310; system associations, 6,453; local unions, 930. As demonstrated by percentages, although less than two-thirds of the employees preferred national labor organizations, the representation of more than four-fifths of the crafts was won by them. Table VI shows the results of the contests between different types of employees' organizations.

TABLE VI.—*Type of organizations chosen to represent employees in cases involving disputes between national labor organizations and system associations or unorganized employees*

| Method of choice           | Cases | Crafts or classes | Certification issued to—     |         |                     |         |                   |         |
|----------------------------|-------|-------------------|------------------------------|---------|---------------------|---------|-------------------|---------|
|                            |       |                   | National labor organizations |         | System associations |         | Local unions      |         |
|                            |       |                   | Crafts or classes            | Percent | Crafts or classes   | Percent | Crafts or classes | Percent |
| Elections.....             | 32    | 155               | 39                           | 70.91   | 12                  | 21.82   | 2                 | 3.64    |
| Proved authorizations..... | 20    | 39                | 37                           | 94.87   | 0                   | 0.00    | 2                 | 5.13    |
| Total.....                 | 52    | 194               | 76                           | 80.85   | 12                  | 12.77   | 4                 | 4.26    |

  

| Method of choice           | Employees voting for or otherwise choosing— |         |                     |         |              |         |
|----------------------------|---|---------|---------------------|---------|--------------|---------|
|                            | National labor organizations                |         | System associations |         | Local unions |         |
|                            | Number                                      | Percent | Number              | Percent | Number       | Percent |
| Elections.....             | 12,031                                      | 62.53   | 6,441               | 33.48   | 767          | 3.99    |
| Proved authorizations..... | 1,279                                       | 87.96   | 12                  | .83     | 163          | 11.21   |
| Total.....                 | 13,310                                      | 64.32   | 6,453               | 31.19   | 930          | 4.49    |

<sup>1</sup> Elections in 2 crafts or classes resulted in no majority for any organization and no certifications were made for these. The votes of the employees in these 2 crafts or classes are included in the number of employees voting.

As compared with the preceding year,<sup>2</sup> the number of cases involving disputes between unions (national and local) and system associations or unorganized employees decreased from 70 to 52. The number of crafts whose representation was in dispute dropped from 146 to 94. The number of employees involved in such disputes decreased from approximately 49,000 to approximately 20,500. The decline in disputes between labor unions and system associations coincides with a marked trend toward representation by national organizations and elimination of system associations.

### 3. DISPUTES AMONG NATIONAL LABOR ORGANIZATIONS

Twenty-seven cases involving 30 crafts and 4,828 employees were disputes among the national labor organizations. Four more cases involving less than 1,000 employees were contests between national and local unions, making a total of 31 interunion disputes requiring the services of the Board. A year ago the Board reported an increase

<sup>2</sup> Second annual report, p. 9.

in disputes among the national organizations, but during the year covered by this report the number of such cases decreased from 42 to 27. Fifty-nine crafts were involved in these cases last year as compared with 30 this year.

Elections were held in 23 of the 31 cases involving interunion disputes. The number of crafts involved was 24, including 2,960 employees. Five interunion disputes were dismissed by the Board, and three were withdrawn by the parties.

The total of 4,828 employees involved in these interunion contests this year is less than half the total of employees involved in such contests during the preceding year. This year's total of 4,828 is slightly more than 8 percent of the employees involved in all the representation cases handled by the Board during the year. Last year about 15 percent were in these interorganization contests.

#### 4 EXTENT AND NATURE OF LABOR REPRESENTATION

The foregoing sections have been concerned with contests and changes in representation that have taken place during the year. To get a picture of the general extent and nature of labor representation in the railroad industry it is necessary to refer to the agreements that have been negotiated by the representatives of the various classes of employees and filed with the Board as required by the Railway Labor Act. In section VI of this report the extent to which national labor organizations, system associations, and local trade-unions have negotiated agreements is given in detail. Reference to the tables in that section show that an overwhelming majority of the railroad employees are represented by labor organizations which are definitely national in scope. Out of a total of 3,761 agreements on all classes of carriers 3,112 or nearly 82 percent were held by national organizations.

Table VII has been prepared to indicate more specifically the extent to which the railroad employees have identified themselves for representation purposes with the three types of labor organizations mentioned. It shows briefly the number and mileage of class I railroads on which the various labor organizations found among the employees of the industry represent the different classes, crafts, and certain groups of these employees.

TABLE VII.—*Extent of representation by various labor organizations by classes or crafts on 153 railroads, with a total mileage of 246,830*

| Name of organization                                 | Craft or class of employees                          | Number of class I railroads | Mileage |
|--|--|-----------------------------|---------|
| Brotherhood of Locomotive Engineers.....             | Locomotive engineers.....                            | 138                         | 241,699 |
|  | Locomotive firemen, hostlers, helpers.....           | 5                           | 1,157   |
| Brotherhood of Locomotive Firemen and Enginemen..... | do.....  | 134                         | 241,513 |
| Order of Railway Conductors.....                     | Locomotive engineers.....                            | 3                           | 1,296   |
|  | Conductors (road).....                               | 141                         | 244,264 |
|  | Brakemen, flagmen, baggagemen (road).....            | 1                           | 132     |
|  | Foremen, helpers, car retarder operators (yard)..... | 4                           | 18,982  |
|  | Yardmasters.....                                     | 4                           | 10,500  |
| Brotherhood of Railroad Trainmen.....                | Brakemen, flagmen, baggagemen (road).....            | 144                         | 245,211 |
|  | Conductors (road).....                               | 4                           | 1,588   |
|  | Foremen, helpers, car retarder operators (yard)..... | 134                         | 231,228 |
|  | Switch tenders.....                                  | 99                          | 213,932 |
|  | Yardmasters.....                                     | 5                           | 15,015  |
|  | Stewards (dining cars).....                          | 20                          | 122,338 |

See footnotes at end of table.

TABLE VII.—*Extent of representation by various labor organizations by classes or crafts on 153 railroads, with a total mileage of 246,830—Continued*

| Name of organization   | Craft or class of employees                               | Number of class I railroads | Mileage |
|--|---|-----------------------------|---------|
| Switchmen's Union of North America....   | Foremen, helpers, car retarder operators (yard)           | 13                          | 23,826  |
| Railroad Yardmasters of America.....   | Switch tenders.....                                       | 11                          | 23,550  |
| Railroad Yardmasters of North America..  | Yardmasters.....  | 17                          | 69,584  |
| Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees. <sup>1</sup> | do.....   | 6                           | 9,089   |
| Order of Railroad Telegraphers.....  | Clerical, office and station employees.....               | 104                         | 232,072 |
| Brotherhood of Railroad Signalmen of America.  | Telegraphers, towermen, agents.....                       | 132                         | 243,180 |
| American Train Dispatchers Association..   | Train dispatchers.....                                    | 5                           | 4,645   |
| Brotherhood of Maintenance of Way Employees.   | Telegraph and telephone linemen.....                      | 3                           | 4,241   |
| International Association of Machinists <sup>4</sup> ..  | Signal department employees.....                          | 85                          | 214,325 |
| International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America. <sup>4</sup>         | Train dispatchers.....                                    | 80                          | 163,287 |
| International Brotherhood of Blacksmiths, Drop Forgers and Helpers. <sup>4</sup>                           | Maintenance-of-way employees.....                         | 115                         | 219,555 |
| Sheet Metal Workers International Association. <sup>4</sup>  | Shop laborers.....  | 3                           | 5,518   |
| International Brotherhood of Electrical Workers. <sup>4</sup>  | Machinists.....   | 100                         | 172,135 |
| Brotherhood Railway Carmen of America. <sup>4</sup>  | Boilermakers.....   | 100                         | 165,952 |
| International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Shop Laborers. <sup>4</sup>          | Blacksmiths.....  | 96                          | 161,366 |
| Brotherhood of Railroad Station Employees.   | Sheet-metal workers.....                                  | 98                          | 165,968 |
| Brotherhood of Railroad Bridge and Building Mechanics and Helpers.   | Electrical workers.....                                   | 91                          | 156,339 |
| American Federation of Railroad Workers.   | Telegraph and telephone linemen.....                      | 1                           | 225     |
|  | Carmen.....   | 101                         | 171,460 |
|  | Powerhouse employees and shop laborers.                   | 69                          | 134,620 |
| Brotherhood of Railroad Shop Crafts of America.  | Station and freight-house employees (other than clerks).  | 1                           | 1,046   |
|  | Crossing watchmen, pumpmen, and lampmen.                  | 1                           | 1,046   |
|  | Tenders, pumpmen, and shop laborers...                    | 1                           | 1,989   |
|  | Mechanics and helpers (B. & B. dept.)...                  | 1                           | 1,989   |
|  | Maintenance-of-way employees.....                         | 1                           | 24      |
|  | Machinists.....   | 1                           | 1,457   |
|  | Boilermakers.....   | 1                           | 1,457   |
|  | Blacksmiths.....  | 1                           | 1,457   |
|  | Sheet-metal workers.....                                  | 1                           | 1,457   |
|  | Electrical workers.....                                   | 1                           | 1,457   |
|  | Carmen.....   | 2                           | 1,691   |
|  | Powerhouse employees and shop laborers.                   | 1                           | 1,457   |
|  | Machinists.....   | 3                           | 12,084  |
|  | Boilermakers.....   | 2                           | 11,687  |
|  | Blacksmiths.....  | 4                           | 14,531  |
|  | Sheet-metal workers.....                                  | 3                           | 12,733  |
|  | Electrical workers.....                                   | 3                           | 19,891  |
|  | Carmen.....   | 4                           | 13,352  |
|  | Powerhouse employees and shop laborers.                   | 3                           | 12,084  |
|  | Shop laborers and coach cleaners.....                     | 1                           | 1,950   |
|  | Supervisory foremen.....                                  | 7                           | 15,223  |
| National Federation of Railroad Workers.   | Yardmasters.....  | 1                           | 8,355   |
| International Association of Railroad Supervisors of Mechanics.  | Stationary engineers.....                                 | 6                           | 22,048  |
| American Railway Supervisors' Association.   | do.....   | 1                           | 1,989   |
| International Union of Steam and Operating Engineers.  | Molders.....  | 1                           | 6,486   |
| Independent Brotherhood of Steam and Electrical Engineers and Assistants.                                  | Train porters.....  | 1                           | 7,175   |
| International Molders Union.....   | do.....   | 1                           | 1,950   |
| International Association of Porters-Brakemen.   | Masters, mates, pilots, other unlicensed deck personnel.  | 27                          | -----   |
| Protective Order of Railroad Trainmen in America.  | Marine engineers, other unlicensed engine-room personnel. | 18                          | -----   |
| National Organization Masters, Mates and Pilots of America. <sup>6</sup>                                   | Unlicensed engine room personnel.....                     | 1                           | -----   |
| National Marine Engineers Beneficial Association <sup>5</sup> .  | Marine firemen.....                                       | 5                           | -----   |
| Unlicensed Officers' Association <sup>5</sup> .....  | Sailors.....  | 4                           | -----   |
| International Seamen's Union <sup>5</sup> .....  | Ferry boatmen.....  | 4                           | -----   |
|  | Marine cooks, stewards, and culinary workers.             | 4                           | -----   |
|  | Deck hands.....   | 3                           | -----   |

See footnotes at end of table.

TABLE VII.—*Extent of representation by various labor organizations by classes or crafts on 153 railroads, with a total mileage of 246,830—Continued*

| Name of organization   | Craft or class of employees                                       | Number of class I railroads | Mileage |
|--|---|-----------------------------|---------|
| International Longshoremen's Association, <sup>1</sup>       | Lighter captains.....   | 9                           | -----   |
|  | Longshoremen.....   | 3                           | -----   |
|  | Deck personnel (marine).....                                      | 2                           | -----   |
|  | Engine-room personnel (marine).....                               | 2                           | -----   |
|  | Dock workers (marine).....  | 1                           | -----   |
|  | Wharf freight handlers.....                                       | 2                           | -----   |
| Hotel and Restaurant Employees' International Association.   | Chefs, cooks.....   | 11                          | 58, 251 |
|  | Waiters, pantrymen.....   | 10                          | 42, 087 |
|  | Stewards (dining cars).....                                       | 1                           | 956     |
|  | do.....   | 1                           | 2, 039  |
| Brotherhood of Dining Car Conductors....                     | Chefs, cooks.....   | 5                           | 16, 151 |
| Brotherhood of Dining Car Employees....                      | Waiters, pantrymen.....   | 6                           | 24, 506 |
| Brotherhood of Dining Car and Sleeping Car Employees' Union. | Chefs, cooks.....   | 2                           | 4, 847  |
|  | Waiters, pantrymen.....   | 2                           | 4, 847  |
| Protective Order of Dining Car Waiters....                   | do.....   | 1                           | 16, 164 |
| System associations, committees, etc. (various).             | Locomotive engineers.....   | 8                           | 3, 500  |
|  | Locomotive firemen.....   | 9                           | 3, 400  |
|  | Conductors (road).....  | 4                           | 1, 162  |
|  | Brakemen, flagmen, baggagemen (road)....                          | 7                           | 2, 631  |
|  | Yardmasters.....  | 16                          | 39, 882 |
|  | Foremen, helpers (yard).....                                      | 8                           | 2, 962  |
|  | Switch tenders.....   | 1                           | 226     |
|  | Clerical and station employees <sup>2</sup> .....                 | 17                          | 15, 048 |
|  | Telegraphers, towermen, agents.....                               | 4                           | 948     |
|  | Signalmen.....  | 3                           | 7, 007  |
|  | Train dispatchers.....  | 13                          | 43, 434 |
|  | Maintenance-of-way employees.....                                 | 19                          | 27, 629 |
|  | Machinists <sup>4</sup> .....                                     | 28                          | 58, 610 |
|  | Boilermakers <sup>4</sup> .....                                   | 27                          | 64, 437 |
|  | Blacksmiths <sup>4</sup> .....                                    | 28                          | 66, 068 |
|  | Sheet-metal workers <sup>4</sup> .....                            | 26                          | 55, 690 |
|  | Electrical workers <sup>4</sup> .....                             | 38                          | 81, 617 |
|  | Carmen <sup>4</sup> .....   | 29                          | 65, 236 |
|  | Power-house employees and shop laborers <sup>4</sup> ..           | 20                          | 63, 555 |
|  | Masters, mates, pilots <sup>5</sup> .....                         | 4                           | -----   |
|  | Marine engineers <sup>5</sup> .....                               | 7                           | -----   |
|  | Grain-boat employees and marine ship engineers <sup>5</sup> ..... | 1                           | -----   |
|  | Float watchmen, bridgemen, bridge engineers <sup>5</sup> .....    | 1                           | -----   |
|  | Dock workers <sup>5</sup> .....                                   | 1                           | -----   |
|  | Marine firemen <sup>5</sup> .....                                 | 4                           | -----   |
|  | Deck hands <sup>5</sup> .....                                     | 2                           | -----   |
|  | Sailors <sup>5</sup> .....  | 1                           | -----   |
|  | Chefs, cooks (dining cars).....                                   | 21                          | 60, 984 |
|  | Waiters, pantrymen (dining cars).....                             | 20                          | 52, 629 |
|  | Stewards (dining cars).....                                       | 4                           | 19, 418 |
|  | Train porters.....  | 11                          | 34, 087 |
|  | Supervisors of mechanical foremen.....                            | 9                           | 49, 646 |
|  | Sleeping-car porters.....   | 2                           | 319     |
|  | Foundry employees.....  | 1                           | 6, 641  |

<sup>1</sup> Only foremen on 3 roads and foremen and car retarder operators on 1 road.

<sup>2</sup> Excluding foremen on 3 roads and car retarder operators on 117 roads.

<sup>3</sup> The Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees has been certified on the Nashville, Chattanooga & St. Louis Ry., but the case is in litigation and mileage of this road is included with that of clerical associations.

<sup>4</sup> Organizations operating through the railway employee's department, American Federation of Labor, have been certified on the Nashville, Chattanooga & St. Louis Ry. with the exception of carmen and shop watchmen, and on the Virginian Ry. with the exception of power-house employees and shop laborers, but these cases have been in litigation and mileage of these roads is included with that of mechanical department associations.

<sup>5</sup> Marine service employees are found on only a limited number of railroads and mileage figures are not given, as it is felt they are not a proper index of the extent of marine service representation.

The trend of changes of representation in the various branches of the railroad industry may be studied by comparing the foregoing table with table VII of last year's report.

#### IV. DISPUTES MEDIATED—SETTLEMENTS

There were 138 mediation cases on hand at the beginning of the fiscal year 1936-37. During the year 115 additional cases were received making a total of 253 disputes requiring the mediation services of the Board. During the year the Board disposed of 158 mediation cases, leaving 95 cases pending June 30, 1937.

Compared with the preceding year new mediation cases received rose from 102 to 115, and the cases disposed of increased from 81 to 158.

##### 1. AGREEMENTS SIGNED

Sixty-two of the 158 cases disposed of were settled by mediation agreements signed by representatives of the carriers and of the employees, and witnessed by the Board's mediators. During the preceding year 36 cases were settled by such written agreements, and the year before that only 24 were so settled. Since the amended Railway Labor Act went into effect in the fall of 1934, there has thus been a gratifying increase in the number of settlements made by mediation agreements.

Two disputes were settled by written agreements to arbitrate in accordance with the provisions of section 7 of the Railway Labor Act, and one case was settled partly by a mediation agreement and partly by an arbitration agreement.

The subject matter of the disputes settled by the mediation agreements included the following:

|   |    |
|---|----|
| New agreements, wages, rules, and working conditions..... | 15 |
| Revision of existing rule agreements.....                 | 39 |
| Changes in rates of pay.....                              | 5  |
| Working conditions.....                                   | 3  |
| Total.....  | 62 |

##### 2. OTHER ADJUSTMENTS

Sixty-eight cases were withdrawn, 34 of them as a result of mediation proceedings and 34 before mediation began. Practically all the cases withdrawn during mediation were settled in conferences or by correspondence between the parties. The necessity for signing mediation agreements had been eliminated, either because the conditions which had been grounds for complaint were removed, or because some compromise was arranged, or because it was found there was no just ground for complaint. Many of the cases withdrawn before mediation were similarly settled. Several of these resulted in the signing of collective agreements covering rates of pay, hours, and working conditions.

##### 3. CASES CLOSED AND DISMISSED

The Board closed its files in 25 cases during the year, in 21 of them after the parties had refused to arbitrate. Two cases were dismissed,

one because the Board lacked jurisdiction and another because the labor organization which invoked the Board's services was found not to be the employees' authorized representative. Two other cases were closed after a special adjustment was made.

While it may appear that 21 cases is an unusually large number of disputes in which mediation was unsuccessful, it must be considered that a majority of the cases were almost identical with cases which the employees withdrew during mediation. Two cases involved complaints which had been filed with the old United States Board of Mediation in 1932, and the cause for invocation of the Board's services had been removed.



## V. ARBITRATION AND EMERGENCY BOARDS

### 1. ARBITRATION BOARDS

Three agreements to arbitrate disputes in accordance with sections 7 and 8 of the Railway Labor Act were signed during the year. Two of them disposed of all matters in dispute in the mediation cases in which they were secured, and the third disposed of questions remaining after a mediation agreement had been signed in partial settlement of the case.

One board consisting of three members was agreed upon to decide the issues in all three cases. The parties each appointed a member of the board, and the National Mediation Board appointed Judge Frank P. Douglass of Oklahoma City to serve as the neutral when the parties could not themselves agree upon the neutral.

The parties who submitted their disputes to the board of arbitration were:

BROTHERHOOD OF LOCOMOTIVE ENGINEERS, ORDER OF RAILWAY CONDUCTORS

v.

WESTERN PACIFIC RAILROAD CO., SACRAMENTO NORTHERN RAILWAY, TIDEWATER SOUTHERN RAILWAY CO.

Members of the board were: Mr. Frank P. Douglass, Oklahoma City, Okla. (chairman); Mr. P. O. Peterson, general chairman, Brotherhood of Locomotive Engineers; Mr. R. F. Ray, assistant general manager, Denver & Rio Grande Western Railroad Co.

Arbitration hearings began December 17, 1936. The awards were dated January 6 and 7, 1937.

The matters in dispute involved changes in rules and working conditions and the fixing of an effective date for increases in rates of pay for engine, train, and yard service employees. The awards set May 21, 1936, as the effective date for the wage increases, granted some of the employees' requests for changes in the working agreements, modified others, and dismissed the rest.

### 2. EMERGENCY BOARDS

Three emergency boards were appointed by the President during the year in accordance with section 10 of the Railway Labor Act. The reports of these boards were made to the President and were printed for distribution. Following is a brief summary of the cases referred to the emergency boards:

BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN, BROTHERHOOD OF LOCOMOTIVE ENGINEERS, BROTHERHOOD OF RAILROAD TRAINMEN, ORDER OF RAILWAY CONDUCTORS, SWITCHMEN'S UNION OF NORTH AMERICA,

v.

CHICAGO GREAT WESTERN RAILROAD CO. (PATRICK H. JOYCE AND LUTHER M. WALTER, TRUSTEES)

Members of the board created by proclamation of February 8, 1937: Hon. John P. Devaney, chief justice, Supreme Court of Minnesota (chairman); Mr. Walter C. Clephane, attorney, Washington, D. C.; Dr. Harry A. Millis, professor, University of Chicago.

Public hearings began on February 15 and concluded on February 16, 1937. The Board also held numerous conferences with the repre-

sentatives of employees and carrier from February 16 to March 5, 1937. The report was transmitted to the President under date of March 7, 1937.

The single issue involved was the nonpayment by the carrier of penalties and of lost wages as required by three decisions rendered by the First Division of the National Railroad Adjustment Board, these penalties and lost wages aggregating approximately \$40,000. After reviewing the facts involved and the contentions of both parties, the Board brought representatives of the parties into joint meetings, and a settlement mutually acceptable was reached.

BROTHERHOOD OF LOCOMOTIVE ENGINEERS, BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN, ORDER OF RAILWAY CONDUCTORS, BROTHERHOOD OF RAILROAD TRAINMEN

v.

SOUTHERN PACIFIC CO. (PACIFIC LINES), NORTHWESTERN PACIFIC RAILROAD CO.

Members of the board created by proclamation of April 14, 1937: Mr. G. Stanleigh Arnold, San Francisco, Calif. (chairman); Mr. Charles Kerr, Washington, D. C.; Dr. Dexter M. Keezer, Portland, Oreg.

Public hearings began on April 20, 1937, and concluded on May 6, 1937. The report was transmitted to the President under date of May 10, 1937.

The emergency requiring creation of the board arose when firemen, enginemen, and trainmen of the carriers voted by a large majority to strike. Their strike ballot listed 41 causes of grievances, which arose largely as the result of differences among the labor organizations. Principal issue in the controversy concerned the right of the two junior organizations, the Brotherhood of Railroad Trainmen and the Brotherhood of Locomotive Firemen and Enginemen, to present the grievances of their members who were serving in capacities covered by agreements between the carriers and the two senior organizations, the Brotherhood of Locomotive Engineers and the Order of Railway Conductors. Of the 41 items cited in the strike ballot, all but 11 were amicably settled by agreement between the parties as the result of emergency board suggestions during the hearings that they make a determined effort to eliminate as many of the items as possible. The remaining items were referred back to the parties with a recommendation that they be settled in conferences. Later they were all settled by mutual agreement.

In concluding its report, the emergency board stated: "The controversies \* \* \* arise primarily from failure to observe carefully the explicit provisions and the spirit of the Railway Labor Act. \* \* \* Toward the close of our hearings a national officer of one of the four local organizations involved in these disputes asserted, without challenge, 'this is not a strike against the Southern Pacific Railroad, it is a fight between these organizations.' Though we feel that the management of the Southern Pacific Co., Pacific Lines, by greater certainty and centralization in its handling of claims for the adjustment of grievances, would have mitigated the conflict, we found that there is much truth in the statement quoted above. We feel that these four great railroad employee organizations owe it to their members, to their admirable history, and to the public to settle their-

interorganization disputes without any such threatened interruption of interstate commerce as that which caused you to create this board."

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS, FREIGHT HANDLERS,  
EXPRESS AND STATION EMPLOYEES

v.

INTERNATIONAL LONGSHOREMEN'S ASSOCIATION

v.

PENNSYLVANIA, LONG ISLAND, BALTIMORE & OHIO, READING, CENTRAL RAILROAD  
OF NEW JERSEY, LEHIGH VALLEY, NEW YORK CENTRAL, NEW YORK, NEW  
HAVEN & HARTFORD, DELAWARE, LACKAWANNA & WESTERN, AND ERIE  
RAILROADS

Members of the board created by proclamation of April 26, 1937: Mr. Frank M. Swacker, New York, N. Y. (chairman); Mr. William H. Davis, New York, N. Y.; Mr. I. L. Sharfman, Washington, D. C.

Public hearings began on May 3, 1937, and concluded on May 14, 1937. The report was transmitted to the President under date of May 25, 1937.

Questions to be decided were (1) which of the two organizations should have the right to represent employees who handle freight from railroad piers (freight stations and lighterage piers) to floating equipment (car floats, barges, lighters, and scows) and from such floating equipment to railroad piers; (2) wage rates.

The board found that the roots of the jurisdictional dispute extended back for a period of about two decades and has long been a problem within the American Federation of Labor, with which both organizations are affiliated. The board reported the emergency arose as a result of departures on the part of both unions from their own established procedures and from the orderly processes of the Railway Labor Act. Settlement of the questions regarding wage rates was contingent upon settlement of the jurisdictional issues. On the basis of facts developed in the hearings regarding classification of employees, the board arranged a series of agreements which were formally approved by the carriers and the two labor organizations.

## VI. WAGE AND RULE AGREEMENTS

Railroads and their employees are obligated by the Railway Labor Act to exert every reasonable effort to make and maintain agreements. In order that this duty may be properly discharged, the act requires that all matters at issue in the making of these agreements shall be adjusted in conference between representatives designated so to confer by the railroads and by their employees respectively. Two aspects of the present status of the relationship between labor and the managements of the railroads thus suggest themselves.

The first aspect concerns the extent to which the employees of the various railroads have exercised their right to be represented by labor organizations, together with the nature of the organizations chosen. This is described in section III of this report.

The second aspect concerns the extent to which these organizations have been recognized by the railroad managements to speak for the employees, and the number and nature of the agreements negotiated by such organizations with the railroads.

### 1. AGREEMENTS COVERING RATES OF PAY, RULES, AND WORKING CONDITIONS

Negotiating an agreement with a carrier is the most important task confronting a labor organization after establishing its right to represent a given class or craft of employees. The number of agreements negotiated by the various types of labor organizations found among the employees of the two branches of the transportation industry covered by the Railway Labor Act is therefore an index of the development of labor organization under the amended law. In making this appraisal of the situation, however, it should be borne in mind that the significance of the number of agreements so negotiated by each one of the three kinds of employee organizations found is greatly affected by the number of employees covered by the agreements concerned as well as by the mileage of the railroads on which these agreements are in effect.

In its first annual report the Board reported 3,021 agreements between carriers and employees covering rates of pay, rules, and working conditions which had been filed in accordance with section 5, third (e) of the Railway Labor Act.<sup>1</sup> A year later the number was 3,485. At the end of the year covered by the present report the agreements on file were 3,761, an increase of 276 over last year.

Not all the additional 276 agreements were new ones entered into during the year. Forty-four of them were old ones made prior to the present year but not filed until this year.

Of the 276 additional agreements 190 are with class I carriers, 20 with class II carriers, 37 with switching and terminal companies, 28 with electric lines and 1 with an express company.

<sup>1</sup> First annual report, p. 32.

Table VIII shows how the total of 3,761 agreements filed up to June 30, 1937, are divided among the classes of carriers and types of labor organizations.

TABLE VIII.—*Agreements covering rates of pay, rules, and working conditions on file with Board, July 1, 1935, 1936, 1937, by classes of carriers and types of labor organizations*

| Class of carrier                                     | Number of agreements with—   |       |       |                     |      |      |              |      |      |       |       |       |
|--|------------------------------|-------|-------|---------------------|------|------|--------------|------|------|-------|-------|-------|
|  | National labor organizations |       |       | System associations |      |      | Local Unions |      |      | Total |       |       |
|  | 1935                         | 1936  | 1937  | 1935                | 1936 | 1937 | 1935         | 1936 | 1937 | 1935  | 1936  | 1937  |
| Class I (147 carriers).....                          | 1,652                        | 1,864 | 2,184 | 602                 | 487  | 418  | 81           | 97   | 96   | 2,335 | 2,448 | 2,638 |
| Class II (214 carriers).....                         | 265                          | 370   | 389   | 64                  | 81   | 81   | 0            | 0    | 1    | 329   | 451   | 471   |
| Class III (280 carriers).....                        | 6                            | 83    | 83    | 12                  | 14   | 14   | 0            | 1    | 1    | 18    | 98    | 98    |
| Switching and terminal companies (213 carriers)..... | 294                          | 384   | 414   | 40                  | 65   | 74   | 0            | 15   | 13   | 334   | 464   | 501   |
| Electric.....  | 0                            | 15    | 36    | 0                   | 4    | 10   | 0            | 0    | 1    | 0     | 19    | 47    |
| Express and Pullman companies (3 carriers).....      | 5                            | 5     | 6     | 0                   | 0    | 0    | 0            | 0    | 0    | 5     | 5     | 6     |
| Total.....   | 2,222                        | 2,721 | 3,112 | 718                 | 651  | 597  | 81           | 113  | 112  | 3,012 | 3,485 | 3,761 |

Class I carriers, which employ more than 90 percent of all those engaged in railroad transportation, had 2,638 of these agreements, or 70 percent of the total. Class II carriers had 471, and class III had 98. Switching and terminal companies had 501 of the agreements.

National organizations gained 391 agreements during the year, while system associations lost 54 and local unions lost 1. National organizations on July 1, 1937, had nearly 82 percent of the total agreements.

National and other unions together hold 3,224 agreements, or more than 85 percent of the total. System associations had a total of 597 agreements, 418 of which were with class I carriers, 81 with class II carriers, and 74 with switching and terminal companies.

In addition to the agreements listed in table VIII the Board has on file 11 agreements between national labor organizations and demurrage bureaus, refrigerator transit companies, or other miscellaneous carriers coming under the provisions of the Railway Labor Act but not ordinarily classified as railroads. Seven of these agreements cover shop employees, and four cover the clerical and station forces.

Air carriers have also begun filing agreements in accordance with title II of the Railway Labor Act, approved by Congress as an amendment on April 10, 1936. Up to June 30, 1937, four agreements were filed. They cover air-line mechanics and radio operators on two air-line companies.

## 2. CLASSES OF EMPLOYEES COVERED BY AGREEMENTS

The extent to which the various crafts or classes of employees of the class I railroads are covered by agreements and the type of organizations holding the agreements are shown in table IX. There is frequently a lag in time between the establishment of the right of a labor organization to represent employees, the unqualified recogni-

tion of this right and its subsequent fulfillment by a labor agreement. In some cases growing out of the certification by the Board of certain labor organizations as the duly designated representatives of the employees, acceptance of such organizations as the representatives of the employees has been challenged in the courts. This has operated to delay the making of agreements in some instances.

From the data in the table it may be seen that very few system associations have agreements in the engine, train, and yard service, and that practically all agreements in the engine, train, and yard service have been negotiated by national labor organizations. The system associations are most numerous among the shop crafts.

TABLE IX.—*Agreements between class I carriers and their employees, by craft or class of employees and types of labor organizations, July 1, 1937*

| Craft or class of employees                  | Number of carriers having agreements with— |                    |                 |                 |
|--|--|--------------------|-----------------|-----------------|
|  | National labor organization                | System association | Local union     | No organization |
| <b>Engine, train and yard service:</b>       | <i>Number</i>                              | <i>Number</i>      | <i>Number</i>   | <i>Number</i>   |
| Engineers.....                               | 141  | 8                  | 0               | 4               |
| Firemen and hostlers.....                    | <sup>1</sup> 138                           | <sup>2</sup> 10    | 0               | 7               |
| Conductors.....                              | 145  | 4                  | 0               | 4               |
| Brakemen, flagmen, baggagemen.....           | 145  | <sup>3</sup> 7     | 0               | 4               |
| Yard service employees.....                  | <sup>4</sup> 142                           | <sup>5</sup> 23    | <sup>6</sup> 6  | 8               |
| Clerical, station, freight house, store..... | 110  | <sup>7</sup> 18    | <sup>8</sup> 1  | 30              |
| Telegraphers.....                            | 132  | 4                  | 0               | 17              |
| Signalmen.....                               | 85   | <sup>9</sup> 3     | 0               | 66              |
| Dispatchers.....                             | 85   | 14                 | 0               | 54              |
| Maintenance-of-way employees.....            | 119  | <sup>9</sup> 19    | <sup>10</sup> 4 | 17              |
| <b>Shop crafts:</b>                          |  |                    |                 |                 |
| Machinists.....                              | 104  | 31                 | 1               | 17              |
| Boilermakers.....                            | 104  | 29                 | 1               | 19              |
| Blacksmiths.....                             | 100  | 32                 | 1               | 20              |
| Sheet-metal workers.....                     | 102  | 29                 | 1               | 21              |
| Electrical workers.....                      | <sup>11</sup> 97                           | <sup>12</sup> 42   | 1               | 23              |
| Carmen.....                                  | 105  | <sup>7</sup> 33    | 2               | 16              |
| Powerhouse employees, shop laborers.....     | <sup>11</sup> 73                           | <sup>13</sup> 23   | <sup>14</sup> 9 | 59              |
| <b>Marine service:</b>                       |  |                    |                 |                 |
| Masters, mates, pilots.....                  | 26   | 4                  | 0               | 123             |
| Marine engineers.....                        | 19   | <sup>11</sup> 7    | 1               | 128             |
| Other marine employees.....                  | <sup>15</sup> 22                           | <sup>16</sup> 8    | 0               | 129             |
| <b>Dining-car service:</b>                   |  |                    |                 |                 |
| Chefs, cooks.....                            | 0  | 21                 | 22              | 110             |
| Waiters, pantrymen.....                      | 0  | 20                 | 23              | 120             |
| Stewards.....                                | 26   | 4                  | 2               | 121             |
| Miscellaneous employees.....                 | 0  | <sup>17</sup> 30   | <sup>18</sup> 9 | 124             |
| <b>Total.....</b>                            | <b>2,020</b>                               | <b>423</b>         | <b>84</b>       | <b>-----</b>    |

<sup>1</sup> Excludes 1 separate agreement—firemen's agreement held by 1 national organization and hostlers' agreement held by another national organization.

<sup>2</sup> Includes 2 separate agreements for colored employees.

<sup>3</sup> Includes 3 separate agreements for colored employees.

<sup>4</sup> Excludes 34 separate agreements with national organizations on carriers counted.

<sup>5</sup> Includes 20 separate agreements on carriers having other agreement same craft class.

<sup>6</sup> Includes 6 separate agreements on carriers having other agreement same craft class.

<sup>7</sup> Includes 5 separate agreements on carriers having other agreement same craft class.

<sup>8</sup> Includes 1 separate agreement on carrier having other agreement same craft class.

<sup>9</sup> Includes 2 separate agreements on carriers having other agreement same craft class.

<sup>10</sup> Includes 4 separate agreements on carriers having other agreement same craft class.

<sup>11</sup> Excludes 2 separate agreements with national organizations on carriers counted.

<sup>12</sup> Includes 10 separate agreements on carriers having other agreement same craft class.

<sup>13</sup> Includes 7 separate agreements on carriers having other agreement same craft class.

<sup>14</sup> Includes 8 separate agreements on carriers having other agreement same craft class.

<sup>15</sup> Excludes 18 separate agreements with national organizations on carriers counted.

<sup>16</sup> Includes 5 separate agreements with carriers having other agreements same craft class.

<sup>17</sup> Includes 7 separate agreements with carriers having other agreements same craft class.

<sup>18</sup> Includes 3 separate agreements with carriers having other agreements same craft class.

## 3. AGREEMENTS ON CLASS I CARRIERS

A summary of the agreements between class I carriers and the organizations of their employees is presented in table X. Opposite the name of each of the railroads is given the organization that holds the agreement for each class of employees in the service of that railroad. System associations are indicated by the abbreviation SA, and abbreviations are used for the names of the various national labor organizations. This table lists all the agreements filed with the Board up to July 1, 1937. So far as the Board knows these are all the agreements that are in effect on class I roads.

Table X of this report may be compared with table X of the 1936 report and table VIII of the 1935 report to determine the gains or losses of the several national organizations, system associations, and local unions that have occurred during the year. By such analysis the extent to which the desire of the employees for representation by standard organizations as compared with system associations has manifested itself under the amended Railway Labor Act may be definitely ascertained.

## VII. INTERPRETATION AND APPLICATION OF AGREEMENTS

The Board was not called upon during the year to interpret any of the mediation agreements that had been entered into in settlement of disputes and witnessed by a mediator of the Board. The few differences regarding the meaning of mediation agreements were all settled in conference by the parties without intervention by the Board.

Responsibility for the interpretation of wage and rule agreements is assigned to the National Railroad Adjustment Board by the Railway Labor Act. The discharge of that responsibility is described in detail in the reports of the decisions of the four divisions of the Adjustment Board, which is contained in the appendix of this report.

Table XI is a tabulation of the cases handled by each of the divisions:

TABLE XI.—Cases docketed and disposed of by the National Railroad Adjustment Board, 1936-37

| Cases                                       | Division<br>I | Division<br>II | Division<br>III | Division<br>IV | All divi-<br>sions |
|---|---------------|----------------|-----------------|----------------|--------------------|
| Docketed.....                               | 1,650         | 105            | 197             | 8              | 1,960              |
| Heard.....                                  | 938           | 74             | 150             | 7              | 1,169              |
| Decided without referee.....                | 457           | 97             | 72              | 0              | 626                |
| Decided with referee.....                   | 287           | 5              | 120             | 0              | 412                |
| Withdrawn.....                              | 403           | 18             | 29              | 2              | 452                |
| Deadlocked.....                             | 229           | 5              | 88              | 0              | 322                |
| Total cases disposed of.....                | 1,147         | 102            | 192             | 2              | 1,443              |
| Open cases on July 1, 1937 (heard).....     | 318           | 15             | 51              | 6              | 390                |
| Open cases on July 1, 1937 (not heard)..... | 2,028         | 7              | 31              | 0              | 2,066              |
| Total.....                                  | 2,346         | 22             | 82              | 6              | 2,456              |

The nature of the disputes adjudicated by the Adjustment Board may be gathered from the detailed tables in the reports of the divisions.

Seven men were appointed by the National Mediation Board during the fiscal year 1937 to serve as referees for the National Railroad Adjustment Board in cases that were deadlocked. Two other men who had previously served by Mediation Board appointment were selected by the Adjustment Board during the year to decide additional cases. All but one of those appointed this year by the Mediation Board also had served previously as Adjustment Board referees and were listed in last year's report.<sup>1</sup> The new appointee was Mr. Arthur M. Millard, of Chicago, Ill.

<sup>1</sup> Second annual report, p. 34.



TABLE X.—Wage and rules agreements between class 1 carriers and employees filed with the National Mediation Board in accordance with sec. 5, third (c) Railway Labor Act, July 1, 1937

| Railroads  | Shop and powerhouse employees |                            |                 |  |                             |   |                        |           |                  |                                       | Marine employees |                   |                  | Dining-car employees       |                       |                                 | Miscellaneous employees   |                                     |                          |        |                       |                               |          |   |
|--|-------------------------------|----------------------------|-----------------|--|-----------------------------|---|------------------------|-----------|------------------|---------------------------------------|------------------|-------------------|------------------|----------------------------|-----------------------|---------------------------------|---|-------------------------------------|--------------------------|--------|-----------------------|-------------------------------|----------|---|
|  | Engi-<br>neers                | Firemen<br>and<br>hostlers | Conduc-<br>tors | Brakemen,<br>flagmen,<br>and bag-<br>gagemen | Yard service em-<br>ployees | Clerical,<br>station,<br>freight,<br>baggage,<br>and store<br>employees | Tele-<br>graph-<br>ers | Signalmen | Dispatch-<br>ers | Maintenance-<br>of-way em-<br>ployees | Machin-<br>ists  | Boilermak-<br>ers | Black-<br>smiths | Sheet-<br>metal<br>workers | Electrical<br>workers | Carmen<br>and coach<br>cleaners | Stationary<br>engineers, fire-<br>men, oilers,<br>powerhouse,<br>and shop<br>laborers | Masters,<br>mates,<br>and<br>pilots | Marine<br>engi-<br>neers | Others | Chefs<br>and<br>cooks | Waiters<br>and pan-<br>trymen | Stewards | All others who are<br>not reported un-<br>der other head-<br>ings |
| 1  | 2                             | 3                          | 4               | 5  | 6                           | 7   | 8                      | 9         | 10               | 11                                    | 12               | 13                | 14               | 15                         | 16                    | 17                              | 18  | 19                                  | 20                       | 21     | 22                    | 23                            | 24       |   |
| Akron, Canton & Youngstown Ry. Co.               | BLE                           | BLF&E                      | ORC             | BRT  | SUNA                        | SA  | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (A.C.&Y).   |
| Albany & Great Southern R. R. Co.                | BLE                           | BLF&E                      | ORC             | BRT  | BRT, SA                     | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO, ISOE  |                                     |                          |        |                       |                               |          | (A.G.S).  |
| Alton R. R. Co.                                  | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW, SA              | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | SA (1) (Alton).   |
| Ann Arbor R. R. Co.                              | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (Ann Arbor).  |
| Atchafalaya, Tappan & Erie Ry. Co.               | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (A.T.C.F.).   |
| Baltimore & West Point R. R. Co.                 | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (A.W.P.).   |
| Atlanta, Birmingham & Coast R. R. Co.            | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (A.B.C.).   |
| Atlantic Coast Line R. R. Co.                    | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (A.C.L.).   |
| Baltimore & Ohio R. R. Co.                       | BLE                           | BLF&E                      | ORC             | BRT  | BRT, RYA                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | LU (4) (B&O).   |
| Bangor & Aroostook R. R. Co.                     | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (B&Aroost).   |
| Beaumont, Sour Lake & Western Ry. Co.            | BLE                           | BLF&E                      | ORC             | BRT  | BRT, SA                     | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (B.S.L.&W.).  |
| Bessemer & Lake Erie R. R. Co.                   | BLE                           | BLF&E                      | ORC             | BRT  | BRT, SUNA, RYA              | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO, ISOE, BMW   |                                     |                          |        |                       |                               |          | (B.S.L.&E.).  |
| Boston & Albany R. R. Co.                        | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO, LU  |                                     |                          |        |                       |                               |          | (B.S.L.&A.).  |
| Boston & Maine R. R. Co.                         | BLE                           | BLF&E                      | ORC             | BRT  | BRT, RYA                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (B.S.M.).   |
| Burlington-Rock Island R. R. Co.                 | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (Burl-R.I.).  |
| Cambria & Indiana R. R. Co.                      | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C.N.).   |
| Canadian National lines in New England           | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | SA (1, 9) (CP).   |
| Canadian Pacific lines in Maine and Vermont      | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (Colga).  |
| Central of Georgia Ry.                           | BLE                           | BLF&E                      | ORC             | BRT  | BRT, RYNA                   | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C.G.R.).   |
| Central R. R. Co. of New Jersey                  | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (CofV).   |
| Central Vermont Ry., Inc.                        | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (CofV).   |
| Charleston & Western Carolina Ry. Co.            | BLE                           | BLF&E                      | ORC             | BRT  | BRT, RYA                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO, BMW   |                                     |                          |        |                       |                               |          | (C&W.C.R.).   |
| Chesapeake & Ohio Ry.                            | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C&O).  |
| Chicago & Eastern Illinois Ry. Co.               | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C&E).  |
| # Chicago & Erie R. R. Co.                       | BLE                           | BLF&E                      | ORC             | BRT  | BRT, ORC                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C&E).  |
| Chicago & Illinois Midland Ry. Co.               | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C&I).  |
| Chicago & North Western Ry. Co.                  | BLE                           | BLF&E                      | ORC             | BRT  | BRT, ORC, SA                | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO, ISOE  |                                     |                          |        |                       |                               |          | SA (3) (C&NW).  |
| Chicago, Burlington & Quincy R. R. Co.           | BLE                           | BLF&E                      | ORC             | BRT  | BRT, RYA                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C.B.&Q.).  |
| Chicago Great Western R. R. Co.                  | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C.G.W.).   |
| Chicago, Indianapolis & Louisville Ry. Co.       | BLE                           | BLF&E                      | ORC             | BRT  | BRT, ORC                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C.I.&L.).  |
| Chicago, Milwaukee, St. Paul & Pacific R. R. Co. | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C.M.&St.P.).   |
| Chicago, Rock Island & Gulf Ry. Co.              | BLE                           | BLF&E                      | ORC             | BRT  | BRT, SA                     | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO, SA  |                                     |                          |        |                       |                               |          | SA (5) (C.R.I.&G.).   |
| Chicago, Rock Island & Pacific Ry. Co.           | BLE                           | BLF&E                      | ORC             | BRT  | BRT, SA                     | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO, SA  |                                     |                          |        |                       |                               |          | SA (5) (C.R.I.&P.).   |
| Chicago, St. Paul, Minneapolis & Omaha Ry. Co.   | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | SA (1) (C&St.P.&O.).  |
| Cincinnati, New Orleans & Texas Pacific Ry. Co.  | BLE                           | BLF&E                      | ORC             | BRT  | BRT, SUNA, SA               | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C.N.O.&T.P.).  |
| Clinchfield R. R. Co.                            | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (Clinchfield).  |
| Colorado & Southern Ry. Co.                      | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C&S).  |
| Columbus & Greenville Ry. Co.                    | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C&G).  |
| Copper River & Northwestern Ry. Co.              | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (C.R.&N.W.).  |
| Delaware & Hudson Corporation                    | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.&H.).  |
| Delaware, Lackawanna & Western R. R. Co.         | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.L.&W.).  |
| Denver & Rio Grande Western R. R. Co.            | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.&R.G.W.).  |
| Denver & Salt Lake Ry. Co.                       | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.&S.L.).  |
| Detroit & Mackinac Ry. Co.                       | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.&M.).  |
| Detroit & Toledo Shore Line R. R. Co.            | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.T.S.L.).   |
| Duluth & Ironstone R. R. Co.                     | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.T.&I.).  |
| Duluth, Missabe & Northern Ry. Co.               | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.M.&N.).  |
| Duluth, South Shore & Atlantic Ry. Co.           | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.S.S.&A.).  |
| East End Ry. Co.                                 | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (D.E.R.).   |
| Elgin, Joliet & Eastern Ry. Co.                  | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (E.J.&E.).  |
| Erie R. R. Co.                                   | BLE                           | BLF&E                      | ORC             | BRT  | BRT, ORC                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (Erie).   |
| Florida East Coast Ry. Co.                       | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (F.E.C.).   |
| Fort Smith & Western Ry. Co.                     | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (F.S.&W.).  |
| Fort Worth & Denver City R. R. Co.               | BLE                           | BLF&E                      | ORC             | BRT  | BRT, RYA                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (F.W.&D.C.).  |
| Georgia & Florida R. R. Co.                      | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (G.&F.).  |
| Georgia R. R. (Seaside)                          | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (G.S.E.).   |
| Great Northern & Florida R. R. Co.               | BLE                           | BLF&E                      | ORC             | BRT  | BRT, SA                     | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (G.N.).   |
| Grand Trunk Western R. R. Co.                    | BLE                           | BLF&E                      | ORC             | BRT  | BRT, ORC                    | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (G.T.W.).   |
| Great Northern Ry. Co.                           | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | SA (1, 2) (GN).   |
| Green Bay & Western R. R. Co.                    | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (G.B.&W.).  |
| Gulf Coast Lines and subsidiaries                | BLE                           | BLF&E, SA                  | ORC             | BRT  | BRT, SA                     | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (G.C.L.).   |
| Gulf, Colorado & Santa Fe Ry. Co.                | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (G.C.S.F.).   |
| Gulf, Mobile & Northern R. R. Co.                | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (G.M.&N.).  |
| Illinois Central R. R. Co.                       | BLE                           | BLF&E                      | ORC             | BRT  | BRT, SA                     | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BRCA                            | IBFO  |                                     |                          |        |                       |                               |          | (I.C.).   |
| Illinois Terminal Co.                            | BLE                           | BLF&E                      | ORC             | BRT  | BRT                         | BRC   | ORC                    | BRSA      | ATDA             | BMW                                   | IAOM             | IBBISB            | IBBDF            | SMWIA                      | IBEW                  | BR                              |   |                                     |                          |        |                       |                               |          |   |

## VIII. ORGANIZATION AND FINANCES OF NATIONAL MEDIATION BOARD

### 1. ORGANIZATION

The members of the National Mediation Board, three in number, are appointed by the President with the advice and consent of the Senate. The terms of office (except in case of vacancy occurring) are for 3 years, one Board member being appointed each year. The Board annually designates one of its members to act as chairman.

Administration of the affairs of the Board, and subject to its direction, is in charge of the secretary. In addition to the secretaries to the members of the Board and the office staff of the secretary, there is a technical and statistical division with a chief, who also assists in the investigation of representation disputes and in the taking of secret ballots of employees. The regular staff of mediators consists of eight men, who together with the members of the Board mediate disputes and also investigate representation cases and conduct elections.

### 2. FINANCIAL STATEMENT

The unexpended balance of \$4,355 in the operating account of the National Mediation Board is subject to outstanding bills incurred prior to July 1, 1937, but not yet paid.

The unexpended balances of funds for both arbitration and emergency boards have been reappropriated from year to year. In the current fiscal year there was reappropriated and made available the 1936 balances of \$57,260 for arbitration boards, and \$45,149 for emergency boards.

The expenditures for arbitration and emergency boards cannot be definitely estimated in advance, as a year may go by without the need of any such board, and another year may require many boards. Also the expenses of the boards vary greatly depending on the nature of the emergencies and the kind of questions to be arbitrated. But it is necessary to have funds available for meeting these contingencies.

TABLE XII.—*Financial statement, fiscal year 1936-37*

|  |            |
|--|------------|
| Regular appropriations:                              |            |
| Salaries and expenses, National Mediation Board..... | \$136, 904 |
| Printing and binding, National Mediation Board.....  | 2, 500     |
| Total operating.....                                 | 139, 404   |
| Salaries and expenses, arbitration boards.....       | 60, 560    |
| Emergency boards, Railway Labor Act.....             | 65, 132    |
| Grand total.....                                     | 265, 096   |

TABLE XII.—*Financial statement, fiscal year 1936-37*—Continued

|   |            |
|---|------------|
| Expenditures:                                       |            |
| Salaries, National Mediation Board.....             | \$101, 445 |
| Expenses incident to travel.....                    | 22, 100    |
| Printing and binding.....                           | 2, 500     |
| Other operating expenses.....                       | 9, 004     |
| Total operating expenses.....                       | 135, 049   |
| Expenses, arbitration boards.....                   | 3, 300     |
| Expenses, emergency boards.....                     | 19, 983    |
| Grand total.....                                    | 158, 332   |
| Unexpended balances:                                |            |
| Operating expenses of National Mediation Board..... | 4, 355     |
| Expenses of arbitration boards.....                 | 57, 260    |
| Expenses of emergency boards.....                   | 45, 149    |
| Total returns to Treasury.....                      | 106, 764   |

## APPENDIX

### THIRD ANNUAL REPORT OF THE NATIONAL RAILROAD ADJUSTMENT BOARD, CHICAGO, ILL., FISCAL YEAR 1937

#### NATIONAL RAILROAD ADJUSTMENT BOARD

##### MEMBERS

GEO. H. DUGAN, *Chairman*  
WM. BISHOP, *Vice Chairman*

|                                |                              |
|--------------------------------|------------------------------|
| Allison, R. H.                 | Hogan, S. J.                 |
| Anderson J. A.                 | Hudson, W. C.                |
| Barney, Irvin                  | Jones, A. H.                 |
| Bremerman, D. H. <sup>1</sup>  | Knoff, R. A.                 |
| Brown, William S. <sup>1</sup> | Lewis, Fred.                 |
| Carr, H. J.                    | MacGowan, Chas. J.           |
| Carter, Paul M.                | McDonald, L. L.              |
| Cook, C. C.                    | McGlogan, C. J. <sup>2</sup> |
| Corrigan, Arthur.              | Murdock, L. O.               |
| Cowley, F. F.                  | Neill, Chas. P.              |
| Deal, C. W.                    | Oram, G. H.                  |
| Edrington, R. E.               | Peck, C. E.                  |
| Faherty, T. K.                 | Potts, W. J.                 |
| Fowler, E. W.                  | Rolfe, M. F. <sup>2</sup>    |
| Hamner, E. J.                  | Sylvester, J. H.             |
| Hancock, A. J.                 | Torian, J. G.                |
| Hassett, M. W.                 | Walther, A. G.               |
| Helt, D. W.                    | Walton, R. A.                |
| Hemenway, Harry.               | Wright, George.              |

##### STATEMENT

On June 21, 1934, by the passage of Public, No. 442, Seventy-third Congress, there was created the National Railroad Adjustment Board.

##### CLASSES OF DISPUTES TO BE HANDLED

The disputes between an employee or group of employees and a carrier or carriers growing out of grievances or out of the interpretation or application of agreements concerning rates of pay, rules or working conditions, including cases pending and unadjusted on the date of approval of this act, shall be handled in the usual manner up to and including the chief operating officer of the carrier designated to handle such disputes; but, failing to reach an adjustment in this manner, the disputes may be referred by petition of the parties or by either party to the appropriate divisions of the Adjustment Board with a full statement of the facts and all supporting data bearing upon the disputes.

*Accounting of all moneys appropriated by Congress for the fiscal year 1937, pursuant to the authority conferred by "An act to amend the Railway Labor Act, approved May 20, 1926" [approved June 21, 1934].*

##### Regular appropriation:

|  |                |
|--|----------------|
| Salaries and expenses, National Railroad Adjustment Board, |                |
| National Mediation Board.....                              | \$190, 000. 00 |
| Printing and binding.....                                  | 35, 000. 00    |

##### Deficiency appropriations:

|   |             |
|---|-------------|
| First Deficiency Appropriation Act, fiscal year 1936, salaries and expenses.....  | 25, 000. 00 |
| Second Deficiency Appropriation Act, fiscal year 1937 (authority to transfer \$8,000 of the amount made available only for services of referees to the appropriation for printing and binding)..... |             |

|   |              |
|---|--------------|
| Total appropriated, fiscal year 1937..... | 250, 000. 00 |
|---|--------------|

<sup>1</sup> Deceased.

<sup>2</sup> Resigned.

*Accounting of all moneys appropriated by Congress for the fiscal year 1937, pursuant to the authority conferred by "An act to amend the Railway Labor Act, approved May 20, 1926" [approved June 21, 1934]—Continued*

## Expenditures:

|                                   |                |
|-----------------------------------|----------------|
| Salaries of employees.....        | \$103, 059. 12 |
| Salaries of referees.....         | 30, 768. 75    |
| Supplies.....                     | 1, 827. 59     |
| Telegraph service.....            | 157. 10        |
| Telephone service.....            | 1, 805. 70     |
| Postage.....                      | 17. 78         |
| Travel and subsistence.....       | 2, 265. 20     |
| Transportation of things.....     | 61. 92         |
| Printing and binding.....         | 29, 783. 76    |
| Printing and binding (field)..... | 9, 420. 90     |
| Light.....                        | 800. 44        |
| Rent.....                         | 33, 500. 00    |
| Repairs and alterations.....      | 145. 82        |
| Special and miscellaneous.....    | 857. 04        |
| Equipment.....                    | 11, 521. 92    |
| Total expenditures.....           | \$225, 993. 04 |
| Unexpended balance.....           | 24, 006. 96    |

*Organization, National Railroad Adjustment Board, Government employees, salaries and duties*

## ADMINISTRATIVE

| Name                   | Title                   | Salary per annum | Amount paid  | Duties  |
|------------------------|-------------------------|------------------|--------------|---|
| Howard, Leland.....    | Administrative officer. | \$4, 000         | \$3, 999. 84 | Under direction of Board, administers its governmental affairs. |
| More, Lala K.....      | Clerk-stenographer.     | 2, 000           | 1, 999. 92   | Secretarial, stenographic and clerical.                         |
| House, Beatrice E..... | Telephone operator.     | 1, 440           | 1, 440. 00   | Operates switchboard and serves as information clerk.           |
| Drabek, David J.....   | Messenger.....          | 1, 080           | 1, 059. 00   | Usual duties of messenger.                                      |

## FIRST DIVISION

|  |                                |          |              |  |
|--|--------------------------------|----------|--------------|--|
| McFarland, Thomas S.....                       | Executive secretary.           | \$4, 200 | \$4, 200. 00 | Administration of affairs of Division and subject to its direction.                                    |
| Young, Herbert W.....                          | Assistant executive secretary. | 3, 200   | 3, 199. 92   | Assists executive secretary.   |
| Frohning, Wm. C.....                           | Principal clerk-stenographer.  | 2, 300   | 2, 299. 92   | Digests and briefs cases and awards, takes hearings, etc.  |
| Bishop, Willetta.....                          | Clerk-stenographer.            | 2, 000   | 1, 999. 92   | Secretarial, stenographic and clerical.  |
| Carmody, Lenore M.....                         | do.....                        | 2, 000   | 1, 999. 92   | Do.  |
| Carter, Alice M.....                           | do.....                        | 2, 000   | 1, 999. 92   | Do.  |
| Cressey, C. B.....                             | do.....                        | 2, 000   | 1, 999. 92   | Do.  |
| Fostof, Evelyn F.....                          | do.....                        | 2, 000   | 1, 999. 92   | Do.  |
| Israel, Bertha.....                            | do.....                        | 2, 000   | 1, 855. 48   | Do.  |
| McFarland, Isabelle.....                       | do.....                        | 2, 000   | 111. 10      | Do.  |
| Mayberry Margaret E.....                       | do.....                        | 2, 000   | 1, 999. 92   | Do.  |
| Miller, Velma.....                             | do.....                        | 2, 000   | 499. 98      | Do.  |
| O'Connor, John M.....                          | do.....                        | 2, 000   | 1, 999. 92   | Do.  |
| Schofield, Amelia.....                         | do.....                        | 2, 000   | 1, 499. 94   | Do.  |
| Smith, Margaret J.....                         | do.....                        | 2, 000   | 1, 999. 92   | Do.  |
| Smith, Rosa H.....                             | do.....                        | 2, 000   | 1, 999. 92   | Do.  |
| Sachs, Solomon.....                            | Messenger.....                 | 1, 440   | 840. 00      | Usual duties of messenger.   |
| Sachs, Solomon.....                            | File clerk.....                | 1, 440   | 600. 00      | Maintaining files, etc.  |
| REFEREES                                       |                                |          |              |  |
| Douglass, Frank P., 60 days at \$75 per day.   |                                |          | 4, 500. 00   | Sat with Division as member to make awards, upon failure of Division to agree or secure majority vote. |
| Garrison, Lloyd K., 31 days at \$75 per day.   |                                |          | 2, 325. 00   | Do.  |
| Sharfman, Isaiah L., 38¼ days at \$75 per day. |                                |          | 2, 868. 75   | Do.  |
| Spencer, William H., 48 days at \$75 per day.  |                                |          | 3, 600. 00   | Do.  |

*Organization, National Railroad Adjustment Board, Government employees, salaries and duties—Continued*

## SECOND DIVISION

| Name  | Title                | Salary per annum | Amount paid | Duties   |
|---|----------------------|------------------|-------------|--|
| Mindling, John L.-----                      | Executive secretary. | \$4,200          | \$4,200.00  | Administration of affairs of Division and subject to its direction.                                    |
| Anderson, Ellie D.-----                     | Clerk-stenographer.  | 2,000            | 1,999.92    | Secretarial, stenographic and clerical.  |
| Bassett, Rose.-----                         | do.                  | 2,000            | 1,999.92    | Do.  |
| Burke, M. Grace.-----                       | do.                  | 2,000            | 1,999.92    | Do.  |
| Corrigan, Edna C.-----                      | do.                  | 2,000            | 1,999.92    | Do.  |
| Dixon, Thomas L.-----                       | do.                  | 2,000            | 1,638.82    | Do.  |
| Fitzgerald, John L.-----                    | do.                  | 2,000            | 361.00      | Do.  |
| Glenn, Allise N.-----                       | do.                  | 2,000            | 438.87      | Do.  |
| Goble, Agatha E.-----                       | do.                  | 2,000            | 1,999.92    | Do.  |
| Lindberg, Robert L.-----                    | do.                  | 2,000            | 1,999.92    | Do.  |
| McGinnis, Helen C.-----                     | do.                  | 2,000            | 1,999.92    | Do.  |
| Purcell, Thomas F.-----                     | do.                  | 2,000            | 1,522.16    | Do.  |
| Spellman, Genevieve.-----                   | do.                  | 2,000            | 1,999.92    | Do.  |
| Williams, Dorothy M.-----                   | do.                  | 2,000            | 1,999.92    | Do.  |
| REFEREES                                    |                      |                  |             |  |
| Devaney, John P., 13½ days at \$75 per day. |                      |                  | 1,012.50    | Sat with Division as member to make awards, upon failure of Division to agree or secure majority vote. |

## THIRD DIVISION

|   |                      |         |            |  |
|---|----------------------|---------|------------|--|
| Johnson, Howard A.-----                         | Executive secretary. | \$4,200 | \$4,200.00 | Administration of affairs of Division and subject to its direction.                                    |
| Coad, Mary E.-----                              | Clerk-stenographer.  | 2,000   | 1,638.82   | Secretarial, stenographic and clerical.  |
| DeRossett, Roy A.-----                          | do.                  | 2,000   | 1,999.92   | Do.  |
| Dixon, Thomas L.-----                           | do.                  | 2,000   | 361.10     | Do.  |
| Klenzendorf, Frances.-----                      | do.                  | 2,000   | 1,999.92   | Do.  |
| Latourelle, Ruth M.-----                        | do.                  | 2,000   | 1,999.92   | Do.  |
| Lightner, Hazel I.-----                         | do.                  | 2,000   | 1,999.92   | Do.  |
| Miller, Velma.-----                             | do.                  | 2,000   | 1,499.94   | Do.  |
| Morse, Frances.-----                            | do.                  | 2,000   | 1,999.92   | Do.  |
| Schofield, Amelia.-----                         | do.                  | 2,000   | 499.98     | Do.  |
| Talbott, Alcaeus H.-----                        | do.                  | 2,000   | 1,999.92   | Do.  |
| Toczyl, Josephine T.-----                       | do.                  | 2,000   | 1,999.92   | Do.  |
| Tummon, A. Ivan.-----                           | do.                  | 2,000   | 1,999.92   | Do.  |
| Zienter, Russell J.-----                        | do.                  | 2,000   | 1,999.92   | Do.  |
| Gillespie, Vincent.-----                        | Messenger.           | 1,080   | 90.00      | Usual duties of messenger.   |
| Gillespie, Vincent.-----                        | do.                  | 1,200   | 1,100.00   | Do.  |
| REFEREES  |                      |         |            |  |
| Corwin, Robert G., 33 days at \$75 per day.     |                      |         | 2,475.00   | Sat with Division as Member to make awards, upon failure of Division to agree or secure majority vote. |
| Devaney, John P., 32½ days at \$75 per day.     |                      |         | 2,437.50   | Do.  |
| Hotchkiss, Willard E., 67 days at \$75 per day. |                      |         | 5,025.00   | Do.  |
| Millard, Arthur M., 41 days at \$75 per day.    |                      |         | 3,075.00   | Do.  |
| Samuell, Paul, 1 day at \$75 per day.           |                      |         | 75.00      | Do.  |
| Sharfman, Isaiah L., 45 days at \$75 per day.   |                      |         | 3,375.00   | Do.  |

## FOURTH DIVISION

|                            |                      |         |            |   |
|----------------------------|----------------------|---------|------------|---|
| Parkhurst, Raymond B.----- | Executive secretary. | \$4,200 | \$4,200.00 | Administration of affairs of Division and subject to its direction. |
| Dirie, Elizabeth A.-----   | Clerk-stenographer.  | 2,000   | 1,705.48   | Secretarial, stenographic and clerical.                             |
| Zimmerman, R. Hazel.-----  | do.                  | 2,000   | 1,999.92   | Do.   |

## JURISDICTION—FIRST DIVISION

The First Division has jurisdiction over disputes involving train- and yard-service employees of carriers; that is, engineers, firemen, hostlers, and outside hostler helpers, conductors, trainmen, and yard-service employees.

*Cases handled to a conclusion by the First Division*

|                            | For fiscal<br>year end-<br>ing June<br>30, 1937,<br>only | Total num-<br>ber of cases<br>handled to<br>June 30,<br>1937 |
|----------------------------|--|--|
| Docketed.....              | 1,650  | 4,534  |
| Heard.....                 | 238  | 2,336  |
| Decided.....               | 744  | 2,000  |
| Withdrawn.....             | 403  | 570  |
| Deadlocked.....            | 229  | 646  |
| Decided with referees..... | 287  | 646  |

TABLE I.—*Number cases docketed by First Division classified as to carriers*

| Railroad:  | Docketed |
|--|----------|
| Alabama Great Southern.....                        | 1        |
| Alton.....   | 2        |
| Atchison, Topeka & Santa Fe (coast).....           | 115      |
| Atchison, Topeka & Santa Fe (proper).....          | 70       |
| Atlantic Coast Line.....                           | 4        |
| Baltimore & Ohio.....                              | 57       |
| Baltimore & Ohio (Buffalo division).....           | 68       |
| Baltimore & Ohio (Toledo division).....            | 1        |
| Bessemer & Lake Erie.....                          | 20       |
| Boston & Maine.....                                | 87       |
| Camas Prairie.....                                 | 2        |
| Central of Georgia.....                            | 7        |
| Central of New Jersey.....                         | 1        |
| Charleston & Western Carolina.....                 | 3        |
| Chesapeake & Ohio.....                             | 21       |
| Chicago & Eastern Illinois.....                    | 12       |
| Chicago & Northwestern.....                        | 17       |
| Chicago, Burlington & Quincy.....                  | 4        |
| Chicago Great Western.....                         | 7        |
| Chicago, Milwaukee, St. Paul & Pacific (West)..... | 14       |
| Chicago, Milwaukee, St. Paul & Pacific (East)..... | 12       |
| Chicago, St. Paul, Minneapolis & Omaha.....        | 14       |
| Cincinnati, New Orleans & Texas & Pacific.....     | 1        |
| Colorado & Southern.....                           | 5        |
| Chicago, Rock Island & Gulf.....                   | 1        |
| Chicago, Rock Island & Pacific (Gulf).....         | 23       |
| Chicago, Rock Island & Pacific.....                | 17       |
| Delaware & Hudson.....                             | 87       |
| Denver & Rio Grande Western.....                   | 74       |
| Denver & Salt Lake.....                            | 1        |
| Detroit & Toledo Shore Line.....                   | 20       |
| Duluth, Missabe & Northern.....                    | 39       |
| Elgin, Joliet & Eastern.....                       | 16       |
| Eric.....  | 66       |
| Fort Worth & Denver City.....                      | 2        |
| Grand Trunk Western.....                           | 4        |
| Great Northern.....                                | 1        |
| Gulf Coast Lines.....                              | 2        |
| Illinois Central.....                              | 4        |
| Illinois Midland.....                              | 6        |
| International-Great Northern.....                  | 14       |
| Jacksonville Terminal.....                         | 1        |
| Lehigh & New England.....                          | 6        |
| Lehigh Valley.....                                 | 3        |
| Louisiana & Arkansas.....                          | 2        |
| Louisville & Nashville.....                        | 32       |
| Maine Central & Portland Terminal.....             | 2        |
| Michigan Central.....                              | 1        |
| Midland Valley.....                                | 10       |
| Missouri Pacific.....                              | 92       |

TABLE I.—*Number cases docketed by First Division classified as to carriers—Con.*

| Railroad—Continued.                                   | Docketed     |
|---|--------------|
| Minneapolis, St. Paul & Sault Ste. Marie .....        | 39           |
| Missouri-Kansas-Texas .....                           | 4            |
| Mobile & Ohio .....                                   | 2            |
| Monongahela .....                                     | 1            |
| Montour Railroad .....                                | 1            |
| Nashville, Chattanooga & St. Louis <sup>1</sup> ..... | 22           |
| New York, Chicago & St. Louis .....                   | 3            |
| New York Central (lines East) .....                   | 4            |
| New York Central (lines West) .....                   | 5            |
| Norfolk & Portsmouth Belt .....                       | 1            |
| Norfolk & Western .....                               | 23           |
| Norfolk Southern .....                                | 22           |
| Norfolk Southern (electric division) .....            | 1            |
| Northern Pacific .....                                | 63           |
| Northwestern Pacific .....                            | 2            |
| Oregon Electric .....                                 | 1            |
| Pacific Electric .....                                | 8            |
| Pennsylvania System (West) .....                      | 4            |
| Pittsburgh & Lake Erie .....                          | 7            |
| Richmond, Fredericksburg & Potomac .....              | 8            |
| Rio Grande Southern .....                             | 1            |
| San Antonio, Uvalde & Gulf .....                      | 2            |
| San Diego & Arizona Eastern .....                     | 7            |
| St. Louis-San Francisco .....                         | 1            |
| St. Louis Southwestern .....                          | 12           |
| South Omaha Terminal .....                            | 1            |
| Southern Pacific (Atlantic System) .....              | 96           |
| Southern Pacific (Pacific System) .....               | 107          |
| Southern Railway .....                                | 8            |
| Spokane, Portland & Seattle .....                     | 9            |
| Staten Island Rapid Transit .....                     | 1            |
| Tennessee Central .....                               | 1            |
| Terminal Railroad Assn. of St. Louis .....            | 16           |
| Texas & Pacific .....                                 | 53           |
| Toledo, Peoria & Western .....                        | 1            |
| United Railways Co. ....                              | 1            |
| Union Pacific (Central district) .....                | 1            |
| Union Pacific (Southwest district) .....              | 1            |
| Wabash .....  | 22           |
| Washington Terminal .....                             | 1            |
| Western Pacific .....                                 | 13           |
| Wichita Valley .....                                  | 1            |
| Yazoo & Mississippi Valley .....                      | 2            |
| <b>Total .....</b>                                    | <b>1,650</b> |

<sup>1</sup> The annual report for last year showed 8 New York, Chicago & St. Louis cases docketed, this should have read, Nashville, Chattanooga & St. Louis.

TABLE II.—*Number of cases docketed by First Division classified as to organizations*

|   |              |
|---|--------------|
| Engineers-Firemen-Conductors-Trainmen-Switchmen's Union ..... | 3            |
| Engineers-Firemen-Conductors-Trainmen .....                   | 58           |
| Engineers-Firemen-Trainmen .....                              | 25           |
| Engineers-Firemen .....                                       | 135          |
| Engineers-Conductors .....                                    | 2            |
| Engineers-Trainmen .....                                      | 1            |
| Engineers .....   | 107          |
| Firemen-Conductors-Trainmen .....                             | 4            |
| Firemen-Trainmen .....  | 1            |
| Firemen .....   | 256          |
| Conductors-Trainmen .....                                     | 326          |
| Conductors .....  | 121          |
| Trainmen .....  | 587          |
| Switchmen's Union of North America .....                      | 24           |
| <b>Total .....</b>  | <b>1,650</b> |



## JURISDICTION—SECOND DIVISION

The Second Division has jurisdiction over disputes involving machinists, boiler-makers, blacksmiths, sheet-metal workers, electrical workers, carmen, the helpers and apprentices of all the foregoing, coach cleaners, powerhouse employees, and railroad-shop laborers. This division shall consist of 10 members, 5 of whom shall be selected by the carriers and 5 by the national labor organizations of the employees.

| <i>Report of cases handled by the Second Division</i> |  | <i>Number of cases</i> |
|---|--|------------------------|
| Docketed.....   |  | 105                    |
| Heard.....  |  | 74                     |
| Decided.....  |  | 102                    |
| Withdrawn.....  |  | 18                     |
| Deadlocked.....                                       |  | 5                      |
| Decided by referee.....                               |  | 5                      |

## CARRIERS PARTY TO CASES DOCKETED

|   |     |
|---|-----|
| Boston & Maine R. R.....  | 1   |
| Central of Georgia Ry.....  | 1   |
| Central Railroad Co. of New Jersey.....                                       | 1   |
| Chicago, Indianapolis & Louisville Ry.....                                    | 3   |
| Chicago River & Indiana R. R.....   | 1   |
| Chicago, Rock Island & Pacific Ry. Co.....                                    | 13  |
| Chicago, Rock Island & Pacific Ry. Co.-Chicago Rock Island & Gulf Ry. Co..... | 2   |
| Colorado & Southern Ry. Co.....   | 1   |
| Denver & Rio Grande Western R. R. Co.....                                     | 7   |
| Denver & Salt Lake Ry. Co.....  | 4   |
| Elgin, Joliet & Eastern Ry. Co.....   | 1   |
| Florida East Coast Ry.....  | 3   |
| Illinois Central System.....  | 8   |
| International-Great Northern R. R. Co.....                                    | 2   |
| Missouri Pacific R. R. Co.....  | 40  |
| New York Central R. R. Co.....  | 2   |
| Norfolk & Western Ry. Co.....   | 1   |
| Northern Pacific Ry. Co.....  | 1   |
| St. Louis-Southwestern Ry. Co. of Texas.....                                  | 1   |
| Spokane, Portland & Seattle Ry. Co.....                                       | 1   |
| Tennessee Central Ry. Co.....   | 2   |
| Terminal Railroad Association of St. Louis.....                               | 2   |
| Texas and Pacific Ry. Co.....   | 5   |
| Union Pacific R. R. Co.....   | 2   |
| Total.....  | 105 |

## ORGANIZATIONS PARTY TO CASES DOCKETED

|   |     |
|---|-----|
| International Association of Machinists.....  | 32  |
| International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America..... | 10  |
| International Brotherhood of Blacksmiths, Drop Forgers and Helpers.....                   | 2   |
| Sheet Metal Workers International Association.....  | 5   |
| International Brotherhood of Electrical Workers.....                                      | —   |
| Brotherhood of Railway Carmen of America.....   | 47  |
| International Brotherhood of Firemen and Oilers, Roundhouse and Shop Laborers.....        | 3   |
| Federated Trades.....   | 6   |
| Total.....  | 105 |

## JURISDICTION—THIRD DIVISION

The Third Division has jurisdiction over disputes involving station, tower, and telegraph employees, train dispatchers, maintenance-of-way men, clerical employees, freight handlers, express, station, and store employees, signalmen, sleeping-car conductors, sleeping-car porters and maids, and dining-car employees. This division shall consist of 10 members, 5 of whom shall be selected by the carriers and 5 by the national labor organizations of employees (pars. (h) and (c), sec. 3, first, Railway Labor Act, 1934).

*Report of cases handled by the Third Division**Number of  
cases*

|                         |     |
|-------------------------|-----|
| Docketed.....           | 197 |
| Heard.....              | 150 |
| Decided.....            | 192 |
| Withdrawn.....          | 29  |
| Deadlocked.....         | 88  |
| Decided by referee..... | 120 |

## CARRIERS PARTY TO CASES DOCKETED

|   |     |
|---|-----|
| Alton.....                                      | 1   |
| Atchison, Topeka & Santa Fe.....                | 11  |
| Atlanta Joint Terminals.....                    | 1   |
| Bangor & Aroostook.....                         | 1   |
| Boston & Maine.....                             | 3   |
| Central of Georgia.....                         | 1   |
| Chicago, Burlington & Quincy.....               | 3   |
| Chicago Great Western.....                      | 1   |
| Chicago, Milwaukee, St. Paul & Pacific.....     | 4   |
| Chicago & North Western.....                    | 1   |
| Chicago, Rock Island & Pacific.....             | 22  |
| Chicago, South Shore & South Bend.....          | 4   |
| Cincinnati, New Orleans & Texas Pacific.....    | 2   |
| Cincinnati Union Terminal.....                  | 2   |
| Cleveland, Cincinnati, Chicago & St. Louis..... | 1   |
| Colorado & Southern.....                        | 3   |
| Denver & Rio Grande Western.....                | 8   |
| Erie.....                                       | 5   |
| Florida East Coast.....                         | 1   |
| Grand Trunk Western.....                        | 2   |
| Great Northern.....                             | 3   |
| Gulf Coast.....                                 | 5   |
| Illinois Central.....                           | 2   |
| International-Great Northern.....               | 2   |
| Kansas City Terminal.....                       | 1   |
| Kansas, Oklahoma & Gulf.....                    | 1   |
| Louisville & Nashville.....                     | 2   |
| Midland Valley.....                             | 4   |
| Minneapolis, St. Louis & Sault Ste. Marie.....  | 1   |
| Missouri-Kansas-Texas.....                      | 5   |
| Missouri Pacific.....                           | 4   |
| Missouri Pacific in Texas and Louisiana.....    | 2   |
| New York Central.....                           | 3   |
| New York, New Haven & Hartford.....             | 1   |
| Norfolk Southern.....                           | 6   |
| Northern Pacific.....                           | 10  |
| Northwestern Pacific.....                       | 2   |
| Pacific Electric.....                           | 1   |
| Pere Marquette.....                             | 1   |
| Pittsburgh & Lake Erie.....                     | 1   |
| Pullman Company.....                            | 13  |
| Reading.....                                    | 1   |
| St. Johns River Terminal.....                   | 1   |
| St. Louis-San Francisco.....                    | 4   |
| St. Paul Union Depot.....                       | 2   |
| Southeastern Express.....                       | 1   |
| Southern.....                                   | 13  |
| Southern Pacific (Pacific lines).....           | 16  |
| Southern Pacific (Texas and Louisiana).....     | 3   |
| Terminal Railroad Association of St. Louis..... | 3   |
| Union Pacific.....                              | 4   |
| Union Pacific (Northwestern district).....      | 1   |
| Western Pacific.....                            | 1   |
| Total.....                                      | 197 |

## ORGANIZATIONS PARTY TO CASES DOCKETED

Number of  
cases

|   |     |
|---|-----|
| American Train Dispatchers Association.....   | 4   |
| Brotherhood of Maintenance of Way Employes.....   | 27  |
| Brotherhood of Railroad Signalmen of America.....   | 4   |
| Brotherhood of Railroad Trainmen.....   | 3   |
| Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express<br>and Station Employes..... | 92  |
| Brotherhood of Sleeping Car Porters.....  | 5   |
| Dining Car Cooks and Waiters' Industrial Association.....   | 2   |
| Order of Railroad Telegraphers.....   | 48  |
| Order of Sleeping Car Conductors.....   | 8   |
| Protective Order of Dining Car Waiters.....   | 4   |
| Total.....  | 197 |

## JURISDICTION—FOURTH DIVISION

The Fourth Division has jurisdiction over disputes involving employees of carriers directly or indirectly engaged in transportation of passengers or property by water, and all other employees of carriers over which jurisdiction is not given to the First, Second, and Third Divisions. This Division shall consist of six members, three of whom shall be selected by the carriers and three by the national labor organizations of the employees (par. (h) sec. 3, first, Railway Labor Act. 1934).

*Awards made*

| Award | Docket | Description of claim  | Railway                              | Organization—<br>employees   | Disposition |
|-------|--------|---|--------------------------------------|--|-------------|
| 7     | 8      | Changing agreement without notification or hearing on same.   | Pennsylvania R. R. Co.               | National Organization, Masters, Mates, and Pilots of America (Local No. 15).                   | Withdrawn.  |
| 8     | 7      | Does the existing agreement between the Marine Culinary Workers' Association and the Southern Pacific Co. apply to the lunch counters now operating on the ferryboats of the company? | Southern Pacific Co. (Pacificlincs). | Marine Culinary Workers' Association (represented by the Ferryboatmen's Union of the Pacific). | Do.         |

*Cases deadlocked and awards rendered with aid of referee*

None.

*Deadlocked on the question of divisional jurisdiction*

| Docket | Parties involved   |
|--------|--|
| -----  | The American Railway Supervisors Association, Inc. (Yardmaster Bishop).  |
| -----  | The American Railway Supervisors Association, Inc. (Yardmaster Holland). |
|        | Chicago & North Western Ry. Co.<br>Do.                                   |

*Cases heard and not decided*

| Docket | Parties involved   |
|--------|--|
| 9      | J. C. Davis.....   |
| 10     | H. B. Baker.....   |
| 11     | J. C. Terrell.....   |
| 12     | John Kane.....   |
| 13     | Frank L. Young.....  |
| 14     | W. A. Hutson.....  |
|        | Atchison, Topeka & Santa Fe Ry. Co.<br>Do.<br>Illinois Central R. R. Co.<br>New York Central R. R. Co.<br>Chicago, Rock Island & Gulf Ry. Co.<br>Seaboard Air Line Ry. |

Above dockets were cleared by awards made on July 12, 1937.