

Sixteenth
ANNUAL REPORT OF THE
NATIONAL
MEDIATION
BOARD

INCLUDING
THE REPORT OF THE
NATIONAL RAILROAD
ADJUSTMENT BOARD



For the Fiscal Year Ended JUNE 30, 1950

Sixteenth
ANNUAL REPORT OF THE
NATIONAL
MEDIATION
BOARD

INCLUDING
THE REPORT OF THE
NATIONAL RAILROAD
ADJUSTMENT BOARD

•

For the Fiscal Year Ended JUNE 30, 1950

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1950

•

For sale by the Superintendent of Documents
U. S. Government Printing Office, Washington 25, D. C.
Price 35 cents : paper cover

NATIONAL MEDIATION BOARD

Fiscal year ended June 30, 1950

FRANCIS A. O'NEILL, Jr., *Chairman*

JOHN THAD SCOTT, Jr.

LEVERETT EDWARDS¹

THOMAS E. BICKERS, *Secretary*

¹ Appointed as Board Member April 21, 1950, to succeed Frank P. Douglass, resigned March 1, 1950.

LETTER OF TRANSMITTAL

NATIONAL MEDIATION BOARD,
OFFICE OF THE CHAIRMAN,
Washington D. C., November 1, 1950.

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 Sixteenth Annual Report of the National Mediation Board for the fiscal year ended June 30, 1950, together with the annual report of the National Railroad Adjustment Board, as required by section 3, first (v), of the same act.

JOHN THAD SCOTT, JR.,
Chairman.

CONTENTS

	Page
Letter of transmittal.....	III
I. Summary and observations.....	1
1. General.....	1
✓ 2. Strikes and threatened strikes.....	3
3. History of the act and developments during 1950.....	8
4. History of Railway Labor Legislation.....	14
5. Management improvement program.....	18
6. Representation disputes.....	18
7. National Railroad Adjustment Board.....	23
8. Labor contracts.....	26
II. Record of cases.....	27
1. Cases handled by the Board.....	27
2. Disposition of cases.....	30
3. Carriers involved in disputes.....	36
4. Major groups of employees involved in cases.....	36
III. Representation disputes.....	39
1. Elections and certification of representatives.....	39
2. Major groups of employees involved in representation disputes.....	42
3. Certifications issued.....	43
4. Extent and nature of labor representation.....	45
IV. Mediation disputes.....	51
1. Mediation and arbitration agreements.....	51
2. Other disposition of mediation cases.....	52
3. Airline mediation cases.....	52
V. Arbitration and emergency boards.....	54
1. Arbitration boards.....	54
2. Emergency boards—Section 10, Railway Labor Act.....	59
VI. Wage and rule agreements.....	67
1. Agreements covering rates of pay, rules, and working conditions.....	67
2. Classes of employees covered by agreements.....	69
3. Agreements on principal carriers.....	70
VII. Interpretation and application of agreements.....	76
1. Interpretation of wage and rule agreements.....	77
2. Airline adjustment boards.....	80
3. Interpretation of mediation agreements.....	81
VIII. Organization and finances of National Mediation Board.....	83
1. Organization.....	83
2. Financial statement.....	84

APPENDIX A

Report of National Railroad Adjustment Board.....	85
---	----

APPENDIX B

National Arbitrators.....	98
---------------------------	----

LIST OF TABLES

Table No.		Page
A.	Work stoppages in the railroad industry 1934-49.....	6
B.	Percent of estimated working time lost because of work stoppages in the railroad industry and other industries, 1935-49.....	6
1.	Number of cases received and disposed of, fiscal years 1935-50.....	29
2.	Number of cases disposed of, by type of case and method of disposition, fiscal years 1935-50.....	31
3.	Number of different carriers involved in cases by classes of carriers with percentages, fiscal year 1950.....	37
4.	Number of cases disposed of by major group of employees, fiscal year 1950.....	37
5.	Number of cases, crafts, or classes, and employees involved in representation disputes, by method of disposition, fiscal years 1935-50.....	41
6.	Number of crafts or classes and number of employees involved in representation cases, by major groups of employees, fiscal year 1950.....	42
7.	Number of crafts or classes certified and employees involved in representation cases by types of results, fiscal year 1950.....	44
8.	Number and mileage of principal carriers by railroad where employees are represented by various labor organizations, by crafts or classes, June 30, 1950.....	45
8A.	Representation of marine department and related miscellaneous groups of employees, by organization and crafts or classes, June 30, 1950.....	49
9.	Issues involved in cases disposed of by mediation agreements, fiscal years 1935-50.....	52
10.	Number of labor agreements on file with the National Mediation Board according to type of labor organizations, by class of carriers, fiscal years 1935-50.....	68
11.	Number of agreements between 136 carriers and their employees by crafts or classes of employees, according to types of labor organizations holding the agreements, June 30, 1950.....	69
12A.	Collective labor agreements and employee representation on 136 selected rail carriers as of June 30, 1950..... Facing	70
12B.	Collective labor agreements and employee representation on Pullman and express companies as of June 30, 1950.....	71
12C.	Collective labor agreements and employees representation on principal airline carriers as of June 30, 1950.....	74
13.	Cases docketed and disposed of by the National Railroad Adjustment Board, fiscal years 1935-50, inclusive.....	76

SIXTEENTH ANNUAL REPORT OF THE NATIONAL MEDIATION BOARD

I. SUMMARY AND OBSERVATIONS

1. GENERAL

Fiscal year 1950 was the sixteenth year of continuous administration of the Railway Labor Act as amended in 1934, and the twenty-fourth year since the original law was enacted in 1926. Throughout these years, the National Mediation Board established under the act as amended in 1934, and its predecessor the Board of Mediation established under the original act in 1926, have been the principal administrative agencies charged with the duty of assisting the railroad and airline carriers and their employees in peacefully disposing of labor disputes and thereby avoiding interruption to essential transportation.

The railroad and airline industries constitute the vital arteries for the flow of the Nation's commerce at all times, and their continuous operation becomes even more important in periods of national emergency. The outstanding record of these transportation facilities during World War II emphasized the value of a well ordered program of labor relations. Because of the peculiar problems encountered in these industries which require continuous operation, labor relations have for many years been subject to special and separate legislation. The present Railway Labor Act, as amended, is therefore the result of more than 60 years of experience with legislation designed to better relations between employers and employees engaged in serving the transportation needs of the Nation.

The work of the Board falls into two general categories:

(1) Mediating disputes involving changes in rates of pay, rules, and working conditions.

(2) Designating collective bargaining agents in disputes concerning representation of employees.

The act embodies detailed procedural steps as to the handling of disputes from their origin to final voluntary disposition. There are no compulsory features in connection with the settlement of disputes between employers and employees, and therefore major differences can arise which could threaten the flow of essential commerce. The duty of the National Mediation Board is to use its best efforts to avoid such threats. The principles of negotiation and mediation, therefore, constitute the heart of the law.

Unlike other major industries, the personnel of the railroads and airlines is widely scattered over the territory which they serve, but the general economic trends are reflected in the area of labor relations

in the same manner as in other industries. The labor agreements which have been entered into over the years incorporate many technical provisions in connection with the operation of trains, planes, etc., and changes in these agreements are frequently sought. Technical improvements are being introduced and expanded in the transportation industry, such as Diesel in lieu of steam locomotive power, mechanical roadway equipment, use of radio in yard operations, teletype in lieu of telegraph, larger and more efficient airplanes, and the like, which result in frequent approaches to make changes in labor agreement structures; the trend of modernization will no doubt continue, with resultant labor differences. The tendency of merger of smaller carriers with larger ones, rearrangement of terminals, reassignment of runs or flights, and similar operational changes usually create demands for changes in labor agreements.

The domestic airlines were first placed within the purview of the act by title II in 1936. There were few if any agreements in effect on the airlines at that time. For several years the pilots and the maintenance forces were the only groups attaining, generally, collective bargaining status. The airlines have gradually expanded and the groups of employees in practically all departments have sought or secured collective bargaining representation. In certain crafts, such as the ground maintenance forces, organization representation varies on different airlines. Owing to the relative youth of the airline industry, the employees have not become as fully organized as have railroad employees, and labor agreement structures have not been standardized to the same degree as on the railroads. In view of the highly specialized and technical characteristics of the airline industry, experience of this Board has been that the negotiation of labor agreements has brought into play factors and technicalities quite different from those present in other labor agreements.

Determination of the structure of craft units for collective bargaining purposes has been made by the National Mediation Board under the provisions of section 2, ninth, of the Railway Labor Act. There being no set pattern for the establishment of rules covering wages and working conditions, it has been necessary for the National Mediation Board to devote relatively more time in connection with disputes on the airlines than on the railroads. While the total number of employees in the airline industry represents only approximately 6 percent of the total covered by the act, during the fiscal year 1950, the percentage of man-days of field mediators in connection with airline disputes was as follows:

	<i>Percent</i>
Representation determinations.....	21
Mediation of disputes.....	27
Total, all cases.....	26

The matter of job protection or severance pay is an active subject in the airline industry. In the railroad industry the carriers and the railroad brotherhoods, nationally, entered into an agreement in May 1936 known as the Washington Job Protection Agreement which provides generally that when two or more carriers, or operations or facilities of two or more carriers are consolidated, employees affected shall be protected for a period of 5 years. In the airline industry there has been no such agreement, and disputes as to the status of employees who may be adversely affected by mergers, as well as sev-

erance pay questions when changes in operations are made resulting in less manpower requirements, frequently arise.

Employees of the airline industry are not covered by the Railroad Retirement Act, and therefore the retirement, unemployment, and other coverages of that act are not applicable to them. The relative service age of airline employees is, because of the youth of the industry, much less than that of railroad employees, and it is expected that the question of severance and retirement pay will become a more active subject as the years progress.

During the past fiscal year, the more prominent disputes in the railroad industry were those in connection with the manning of Diesel locomotives and the establishment of the 40-hour week. The many questions arising in connection with the 40-hour-week principle have resulted in Nation-wide disputes. Except on a very few of the short-line railroads, the disputes growing out of the application of the 40-hour-week principle, insofar as the nonoperating employees are concerned, have been disposed of. At the close of the fiscal year, serious disputes existed involving employees of the operating crafts, namely, yard service employees, train conductors, train brakemen, train baggagemen, etc., in connection with the establishment of the 40-hour week for employees in yard service and provision of a method of payment to employees operating trains on a graduated scale principle based upon the weight on drivers of locomotives, which basis has applied to locomotive engineers and firemen for many years. These disputes also involved many requests for changes in rules by both the employees and the carriers; all of which were considered by an emergency board established under section 10 of the Railway Labor Act, more fully dealt with in subsequent paragraphs of this report.

2. STRIKES AND THREATENED STRIKES

During the year, the number of threatened strikes in the transportation industry was greater than in any previous year of the life of the act. Many of these threatened strikes were disposed of through the efforts of the National Mediation Board before reaching the stage of an actual emergency, while others were disposed of following hearings by and reports of Presidential emergency boards.

For many years the labor organizations on the railroads, generally referred to as the nonoperating groups, handled their disputes independently. In recent years they have acted concertedly in all movements involving adjustments in wages nationally, and in connection with the 40-hour week. The principal carriers have authorized regional conference committees to deal with these organizations collectively on a Nation-wide basis. This practice has, however, been followed for many years in connection with the so-called operating groups.

The more serious strikes or strike threats have been in the following areas:

1. Disputes involving grievances which are not referred to the National Railroad Adjustment Board.
2. Disputes involving more than one craft or more than one carrier.

Except for general wage movements or movements for some basic fundamental rules or working conditions, disputes are confined to individual crafts and individual carriers which constitute the very large majority of the cases processed successfully under the act.

The actual strikes which occurred during the year were as follows:

Case No. ¹	Carrier	Organization	Craft or Class	Duration (days)	Disposition
A-3104.....	New York, Ontario & Western Ry.	Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors of America, Brotherhood of Railroad Trainmen.	Engineers, firemen, conductors and trainmen (approximately 425 employees).	11	Mediation agreement.
A-3157.....	Missouri Pacific R.R.....	Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors of America, Brotherhood of Railroad Trainmen.	Engineers, firemen, conductors, and trainmen.	48	Agreement between the parties.*
A-3165.....	Wichita Falls & Southern R.R. Co.....	Brotherhood of Railway and Steamship Clerks, Brotherhood of Maintenance of Way Employees, Railway Employees Department, AFL.	Clerical, maintenance of way and shop craft (approximately 71 employees).	3	Employees returned to work by direction of organizations.
✓ A-3182.....	American Overseas Airlines, Inc....	Flight Communications Officers Association...	Communication employees (approximately 70 employees).	3	Mediation agreement.
A-3220.....	Monongahela Connecting R.R. Co.	Brotherhood of Railroad Trainmen.....	Trainmen and yardmen (approximately 425 employees).	2	Do.
A-3229.....	Tennessee R.R.....	Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Brotherhood of Railroad Trainmen.	Engineers, firemen, and trainmen (approximately 32 employees).	36	Agreement between the parties.
A-3242.....	Oregon, California & Eastern.....	Order of Railway Conductors of America.....	Conductors (approximately 17 employees).	39	Mediation agreement.
A-3380.....	The Toledo & Lakefront Dock Co.	International Longshoremen's Association.....	Dockworkers (approximately 145 employees).	28	Agreement between the parties.*
A-3381.....	Chicago & Illinois Midland Ry. Co.	Brotherhood of Railroad Trainmen.....	Trainmen and yardmen (approximately 123 employees).	4	Do.
A-3391.....	Eastern, Western & Southeastern Carriers' Conference Committee.	Brotherhood of Locomotive Firemen and Enginemen.	Firemen of 4 carriers.....	8	Mediation and arbitration agreement.*
A-3414.....	South Buffalo Ry. Co.....	Brotherhood of Locomotive Firemen and Enginemen, Brotherhood of Railroad Trainmen.	Engineers, firemen, and trainmen (approximately 600 employees).	4	Mediation agreement.
A-3417.....	Western Carriers' Conference Committee.	Switchmen's Union of North America.....	Switchmen on 5 carriers.....	12	Federal injunction; agreement between the parties.*
A-3430.....	Toledo, Lorain & Fairport Dock Co.	International Longshoremen's Association.....	Dockworkers (approximately 150 employees).	28	Agreement between the parties.*
C-1782.....	Railway Express Agency, Inc.....	Express Workers Union, Brotherhood of Railway & Steamship Clerks.	Express employees at 3 outlying cities—New York area.	3	Employees returned to work by direction of the organizations.
C-1792.....	Lake Terminal R. R. Co.....	Brotherhood of Railroad Trainmen.....	Trainmen and yardmen.....	2	Agreement between the parties.
C-1789.....	Aliquippa & Southern R. R. Co.....	do.....	do.....	1	Do.

* Following report of a Presidential emergency board.

¹ The 16 actual stoppages listed above can properly be grouped as follows:

Major trunk line carriers.....	3	Local dock operations.....	2
Small carriers.....	4	Airlines.....	1
Switching carriers.....	5	Railway express—local.....	1

It has and continues to be the Board's policy to refuse to accept for mediation cases which are properly referable to the National Railroad Adjustment Board. However, when we are advised that a strike will occur, we have felt it our duty under section 5 (b) to proffer our services in an effort to prevent an interruption to transportation. Therefore, when the avenues of the National Railroad Adjustment Board have not been followed by the parties, and the strike-threat method is used, frequently mediation or emergency board handling is then required. This, in the opinion of the Board, strikes at the very heart of the intent of the act as amended in 1934, by the addition of section 3 thereof. This Board has felt (and several Presidential emergency boards have concurred) that such procedure was contrary to the intended procedures of the Railway Labor Act.

One of the more serious stoppages of work during the past fiscal year was in connection with dispute between the Brotherhood of Locomotive Firemen and Enginemen and railroads nationally, involving request of the employees for an additional fireman (helper) on Diesel electric locomotives when multiple units are used.

This dispute was handled in accordance with the procedure prescribed by the Railway Labor Act, including the appointment of a Presidential emergency board under section 10 thereof, which Board conducted extensive hearings on the subject and made its report to the President of the United States on September 19, 1949. In this report the emergency board did not find that an additional fireman (helper) was necessary. The organization announced that the report was unacceptable.

On April 19, 1950, the National Mediation Board was advised by the organization that a strike date had been set commencing at 6 a. m., April 26, 1950, involving employees of:

Pennsylvania System west of Harrisburg; New York Central west of Buffalo; Michigan Central west of Detroit River; Cleveland, Cincinnati, Chicago & St. Louis Railway; Ohio Central Lines; Atchison, Topeka & Santa Fe (Proper); Atchison, Topeka & Santa Fe (Coast Lines); Southern Railway System.

All of the processes of the Railway Labor Act had been previously utilized. There is nothing in the act which makes the report of an emergency board legally binding. Accordingly a question arose as to what, if any, further action could be or should be taken by this agency in the matter. Realizing the far-reaching impact on our national economy, as well as the potential effect on general industrial relations in the far-flung transportation system of the Nation, the National Mediation Board proffered its services and requested that the strike date be postponed until it had an opportunity to further explore the situation with the parties. The Board's proffer was accepted by both sides and the strike date postponed until May 10, 1950.

Members of the National Mediation Board resumed mediation in Chicago on April 27, 1950, and continued their efforts uninterruptedly until May 16 when a mutually satisfactory agreement was reached. In the interim, however, the men left the service of the carriers identified above on May 10 and did not return until the date of the settlement.

The settlement reached embraced definite agreement on certain rules and provided for two separate arbitrations, (1) in connection with alleged violation of certain existing Diesel agreements in the eastern, western, and southeastern territories, and (2) with respect

to employment of a fireman (helper) on locomotives of not more than 90,000 pounds weight on drivers.

Recent tabulations presented to the Senate Committee on Labor and Public Welfare revealed the following:

TABLE A.—*Work stoppages in the railroad industry, 1934-49*

Year	Number of stoppages	Number of workers involved	Man-days idle	
			Number	Percent of estimated working time
1934.....	0	0	0	0
1935.....	1	30	60	(1)
1936.....	2	590	22,900	(1)
1937.....	6	1,100	26,400	(1)
1938.....	1	30	130	(1)
1939.....	0	0	0	(1)
1940.....	1	70	570	(1)
1941.....	5	1,160	22,200	(1)
1942.....	9	1,340	17,500	(1)
1943.....	8	3,270	9,230	(1)
1944.....	12	3,240	25,600	(1)
1945.....	13	5,790	56,900	0.01
1946.....	15	356,000	912,000	.20
1947.....	7	13,900	288,000	.06
1948.....	12	3,670	108,000	.02
1949.....	10	49,700	1,180,000	.31

¹ Less than 1/100 of 1 percent.

SOURCE: Annual bulletins published by the Bureau of Labor Statistics, U. S. Department of Labor, entitled "Work Stoppages Caused by Labor-Management Disputes."

TABLE B.—*Percent of estimated working time lost because of work stoppages in the railroad industry and other industries, 1935-49*

Year	Railroad industry	Transportation, communication, and other public utilities	All industries	Year	Railroad industry	Transportation, communication, and other public utilities	All industries
1935.....	(1)	(2)	0.29	1943.....	(1)	(2)	0.15
1936.....	(1)	(2)	.21	1944.....	(1)	0.03	.09
1937.....	(1)	(2)	.43	1945.....	0.01	.15	.47
1938.....	(1)	(2)	.15	1946.....	.20	.94	1.43
1939.....	0	(2)	.28	1947.....	.06	1.19	.41
1940.....	(1)	(2)	.10	1948.....	.02	.34	.37
1941.....	(1)	(2)	.32	1949.....	.31	.25	.59
1942.....	(1)	(2)	.05				

¹ Less than 1/100 of 1 percent.

² Data not available prior to 1944.

SOURCE: Annual bulletins published by the Bureau of Labor Statistics, U. S. Department of Labor, entitled "Work Stoppages Caused by Labor-Management Disputes."

It will be seen from the above tabulations that the ratio of man-days idle on account of work stoppages on the railroads have been far less than in other industry and except in a few isolated instances such stoppages have not seriously affected the movement of interstate commerce.

The National Mediation Board is, of course, disturbed when the very complete procedural provisions of the act are not complied with or when they are not utilized in the manner intended. The original Railway Labor Act was the product of a joint approach to the Congress of the United States by the railroads and the railroad labor organizations, nationally, and therefore bore their joint stamp of approval,

and the soundness of the principles therein established has not been altered by the factor of time since the law's enactment.

It has been unfortunate that the close cohesion between the powerful brotherhoods of the operating groups has been affected by differences arising between them as to representation, mileage limitations, promotional rights, and similar differences which are in the realm of jurisdictional disputes. The Board feels that the former cooperative spirit by and between the operating brotherhoods contributed materially to the minimizing of such disputes which have been so prevalent in recent years.

The Board is further disturbed by the apparent reluctance of both the carriers and the organizations, in national cases, to conduct thorough collective bargaining; each side apparently feeling that the responsibility for the disposition of all such cases should be attached to some other source. If the Railway Labor Act is to survive, there must be an ever-present consciousness of and the desire of the parties to make it work in the manner which they so strongly advocated when it was placed on the Federal statute books.

While the procedural provisions are for the purpose of insuring full and complete channels for the settlement of labor disputes without recourse to lock-outs or strikes, and while it is the continuing effort of this Board to accomplish such purpose, there is no prohibition in the act against the stoppage of work by employees after such procedures, including section 10, have been exhausted. Section 10 of the act was never intended as an instrument or refuge for either side when the full purpose and intent of the preceding sections have not been fully complied with. The act is basically one of rights and procedure, it being contemplated that full recognition would be given to the responsibility attaching thereto.

There are situations from time to time where the employees express a deep concern that the employer has operated under a feeling of assurance that they would be protected by the Government against any use of their economic power, and that such feeling has operated to make negotiations an empty gesture. On the other hand, the carriers have from time to time expressed the feeling that real negotiations could not be conducted with employees because they desired to force the use of section 10 and accept the provisions of emergency board reports which they considered favorable and reject such portions they may deem unfavorable. If the feelings of the respective interests have factual substance, both are contrary to the spirit and intent of the law.

The Board is further disturbed by the large number of cases which are deadlocked by the National Railroad Adjustment Board requiring the services of referees appointed by the Government. The party representatives on the various divisions of the Adjustment Board are experts in their particular fields and it does appear that there could be a greater degree of agreed dispositions by and between them and thereby minimize the very large number of deadlocks which regularly occur.

In addition to actual stoppages there were a number of threatened strikes involving disputes which were disposed of before an interruption to service occurred.

By and large, the number of individual cases disposed of peaceably during the past year were not under the pressure of a strike threat, which supports the Board's feeling that full utilization of the steps

provided in the law, coupled with its intention that every reasonable effort be exerted by the parties to settle their differences, can operate to hold such threats or stoppages to a minimum. The Board, therefore, continues to urge full utilization of and compliance with the procedural steps which have been so thoroughly grounded in the transportation industry, and to point out that deliberate and reasoned judgment in these matters will in many instances avoid strikes which are costly not only to the employer and employees, but to the public at large.

The protective rights of the act are regarded as almost sacred by the parties but it should also be observed that with such rights go obligations which must be observed if the procedures of the law are to remain effective in peaceful settlement of labor disputes.

As stated above, in the major tests the act proved its value in providing procedures for peaceful settlement of labor disputes. A total of 234 disputes were so settled through mediation procedures during 1950, and 3,368 during the 16 years since its enactment. Against this total, the few instances in which work stoppages occurred should stand out as sound evaluation of the benefits of successful use of the act's procedures as compared to the loss and hardship which so quickly follow when essential commerce is suspended.

3. HISTORY OF THE ACT AND DEVELOPMENTS DURING 1950

The Railway Labor Act is the product of a series of laws commencing in 1888 which deal with the methods of conciliation and arbitration for preserving peace in the transportation industry. The inconvenience and danger to the public welfare resulting from strikes and the cessation of railroad operations had been recognized by the public and the Congress for many years. The early legislation provided only for voluntary arbitration and fact finding. These methods not proving adequate, the process of conciliation and mediation was used in a limited manner. Some disputes were settled by conciliation, but progress along these lines was suspended during the First World War, when the Director General of Railroads issued orders as to wages and working conditions and bipartisan Boards of Adjustment decided disputes between the carriers and their employees as to interpretation or application of agreements. Government participation in labor disputes was continued after the railroads emerged from Federal control in 1920 until 1926, through the functioning of a tripartite agency known as the United States Railroad Labor Board established by the Transportation Act, 1920. The public was represented by a third of its membership, the balance being representatives of the carriers and the labor organizations representing the employees. All types of disputes were heard and decided by that Board.

After several years' experience, dissatisfaction with this method of adjusting disputes in the railroad industry arose which culminated in the abolishment of the labor provisions of the Transportation Act, 1920, and the enactment of the Railway Labor Act, 1926, establishing the Board of Mediation. This law as previously stated was sponsored jointly by the carriers and employees, and revived on a more definite scale practices of mediation and voluntary arbitration in the settlement of labor disputes in the railroad industry. Under the 1926 law, it was the duty of the Board of Mediation to mediate grievances, as well as disputes involving changes in rules and rates of pay. How-

ever, after 8 years' experience, it became evident in view of the expanding activity of labor organization that the Mediation Board could not continue to successfully handle both categories of controversies. Although the Railway Labor Act of 1926 provided for the creation of local or regional boards of adjustment to handle grievance cases, this system proved ineffective, and the Board of Mediation became burdened with the duty of mediating grievances. This situation, which brought about the creation of the National Railroad Adjustment Board in the 1934 amendments, is clearly and succinctly described in the following quotation from the decision of the Supreme Court of the United States in the case of *Elgin, Joliet & Eastern Railway Co., Petitioner, v. G. W. Burley, et al.*, 325 U. S. 711, 725:

Prior to 1934 the parties were free at all times to go to court to settle these disputes. Notwithstanding the contrary intent of the 1926 Act, each also had the power, if not the right, to defeat the intended settlement of grievances by declining to join in creating the local boards of adjustment provided for by that act. They exercised this power to the limit. Deadlock became the common practice, making decision impossible. The result was a complete breakdown in the practical working of the machinery. Grievances accumulated and stagnated until the mass assumed the proportions of a major dispute. Several organizations took strike ballots and thus threatened to interrupt traffic, a factor which among others induced the Coordinator of Transportation to become the principal author and advocate of the amendments. The sponsor in the House insisted that Congress act upon them before adjournment for fear that if no action were taken a railroad crisis might take place. The old Mediation Board was helpless. To break this log jam, and at the same time to get grievances out of the way of the settling of major disputes through the functioning of the Mediation Board, the Adjustment Board was created and given power to decide them.

The procedure adopted is not one of mediation and conciliation only, like that provided for major disputes under the auspices of the Mediation Board. Another tribunal of very different character is established with jurisdiction to determine grievances and make awards concerning them. Each party to the dispute may submit it for decision, whether or not the other is willing, provided he has himself discharged the initial duty of negotiation. Sec. 3 First (i). Rights of notice, hearing, and participation or representation are given. Sec. 3 First (j). In some instances judicial review and enforcement of awards are expressly provided or are contemplated. Sec. 3 First (p); cf. Sec. 3 First (m). When this is not done, the act purports to make the Board's decisions final and binding. Sec. 3 First (m).

The procedure is in terms and purpose very different from the preexisting system of local boards. That system was in fact and effect nothing more than one for what respondents call voluntary arbitration. No dispute could be settled unless submitted by agreement of all parties. When one was submitted, deadlock was common and there was no way of escape. The Adjustment Board was created to remove the settlement of grievances from this stagnating process and bring them within a general and inclusive plan of decision. The aim was not to dispense with agreement. It was to add decision where agreement fails and thus to safeguard the public as well as private interests against the harmful effects of the preexisting scheme.

By the 1934 amendments, the Congress recognized that the functions of negotiation, mediation, and arbitration are of paramount importance in the settlement of major disputes over the making of or changes in agreements covering wages and rules, and attempted to confine the duties of the present National Mediation Board, created under those amendments, to such matters, and the added duty to determine collective bargaining representation where disputes arise among employees. This division of functions worked fairly well for a number of years but later dissatisfaction arose among the train and engine service employees on account of long delays in securing awards from the First Division of the National Railroad Adjustment Board; further, that in cases where the Division has established

a precedent they should not be required to again submit such issue to the Adjustment Board as "repeater cases." The question as to when an award constitutes a precedent has been a matter of sharp conflict between the carriers and the organizations. The fact remains, however, that large dockets of grievances have accumulated and in many instances strikes were threatened which the National Mediation Board had to take cognizance of because of the potential emergency. A large amount of time of the Board members and its mediators has been spent in the past 5 years on such matters not contemplated when the act was amended in 1934. Mediation efforts have prevented stoppages in many instances, but the continued necessity for the use of the mediation processes in matters so clearly intended to be handled by adjustment board machinery will result in a weakening of the over-all procedural structure of the act. The Board has counseled all parties to devise methods to promote more prompt disposition of grievances.

The Board has continued to emphasize the value of "at-home" bargaining and to exert every reasonable effort to compose their differences before seeking outside assistance. As a general rule this is done, but there have been numerous situations where the "at-home" conferences have been largely perfunctory, and the services of the Board sought in connection with many matters. There has been no detailed discussion by and between the parties. The "short-circuiting" of negotiations to secure governmental assistance is contrary to the procedural purposes of the law.

During the year the provisions of section 10 were invoked in several cases of national scope, such as the 40-hour-week dispute involving railroad operating employees and the Diesel locomotive disputes previously referred to.

The questions in these cases involved matters of national concern to carriers, employees, and the public and it is understandable why matters of this nature required the full utilization of the procedural provisions of the act. There were, however, a number of other instances where the other procedures of the law should have been adequate without the necessity of the President of the United States declaring an emergency. The Board wishes to again emphasize that an indiscriminate use of section 10 will seriously weaken the proven value of the other procedures in the act.

The noncompulsion features of the act are likewise applicable to reports of Presidential emergency boards. However, in keeping with the spirit and intent of the law it was contemplated that a report of such a board would command the support of public opinion and be accepted by the disputants as a basis on which their differences would be resolved. In some cases, the emergency board acts as a mediatory body, and brings about a settlement by the parties without having to make formal recommendations. In the majority of instances, however, recommendations are made in the report of the emergency board to the President.

It may be stated that the basic intent of the law to settle controversies and avoid strikes in the rail and air transportation industries can best be fulfilled: first, by settling as many disputes as possible in direct negotiations and real collective bargaining; second, through the assistance of mediation in effecting a meeting of the minds; and third, in issues not so resolved, through the voluntary acceptance of arbitration by both parties. These three steps should operate

to hold to a minimum the necessity for the use of the Emergency Board procedure, and the rights of both employers and employees would be amply protected.

During the fiscal year 1950, 11 emergency boards were created by executive order of the President under section 10 of the act. A recapitulation of the disputes investigated and the recommendations made by the emergency boards will be found in chapter V of this report.

Chapter II, under the caption, "Mediation Disputes," recounts the Board's mediation activities during the past fiscal year, and outlines a few of the problems in mediation which were encountered. It also contains statistical tables indicating the performance in the settlement of mediation disputes, compared with the past years in the Board's experience under the amended act.

40-HOUR WEEK DEVELOPMENTS

Employees covered by the Railway Labor Act are exempt from the hours provisions of the Fair Labor Standards Act, and therefore the 40-hour week was not by statute applied to railroad employees. However, during the year 1949, following report of a Presidential emergency board, the rail carriers and nonoperating employees, nationally, entered into an agreement establishing the principle of the 40-hour work week for approximately one million railroad workers. As stated in our last annual report, this was the most important advance made by railroad workers, since 1916 when 8 hours was established as a basic work day for train and engine service employees.

Following the agreement of 1949 covering the nonoperating employees, movements were instituted by the Order of Railway Conductors, Brotherhood of Railroad Trainmen, and Switchmen's Union of North America, for the purpose of establishing the 40-hour week for employees engaged in yard service. The conductors and trainmen also included in their request a change in the basis of compensation for men engaged in road service by converting to a graduated scale of pay based on the weight of drivers of the locomotives handling the train. This formula for computing pay has been followed for many years in compensating locomotive engineers and firemen.

On February 24, 1950, the President of the United States, pursuant to Section 10 of the Railway Labor Act, issued Executive Order No. 10112 creating an emergency board to investigate the dispute involving the conductors and trainmen, nationally, in connection with this question. Hearings of this emergency board were conducted continuously from March 2, 1950, to May 9, 1950, inclusive, Saturdays and Sundays excepted. On June 15, 1950, the emergency board transmitted its report, together with its recommendations as to the issues, to the President and on the same date the report was made public.

On June 22, 1950, representatives of the carriers involved in this dispute advised the President of their willingness to adopt the recommendations made by the emergency board in its report. Subsequent to the issuance of the emergency board's report, the carriers and the labor organizations met in direct negotiations beginning June 21, 1950, but they were unable to reach an agreement in connection with their differences. Realizing that a strike would be threatened, nationally, the National Mediation Board on June 25, 1950, proffered

its services to the carriers and the labor organizations, pursuant to the provisions of Section 5, first (b) of the Railway Labor Act, as amended. Mediation conferences were held in Chicago, Ill., with the carriers and the labor organizations commencing June 27, 1950, and these conferences were still in progress at the close of the fiscal year.

While the emergency board hearings in connection with the conductors and trainmen's dispute above referred to were in progress, the Switchmen's Union of North America threatened to strike on five railroads on which they held agreements covering yardmen. The threat to strike arose out of a similar unsettled demand by that organization for a 5 day, 40-hour week for yardmen. On March 20, 1950, the President of the United States, pursuant to section 10 of the Railway Labor Act, issued Executive Order No. 10117 creating an emergency board to investigate the dispute involving this organization. The President named as members of this board the same personnel already appointed to hear the demands of the conductors and trainmen above referred to.

In view of the complexity of the problems, the emergency board found that it would be impossible to conclude its hearings and make a report within the time limits specified in the law. Such limits were, therefore, extended by mutual agreement between the carriers and the conductors and trainmen's organizations, and approved by the President. The Switchmen's Union of North America was unwilling to agree to an extension of time in connection with its dispute and it was, therefore, necessary for the emergency board to make a report to the President for this group within the 30-day limit stipulated in the law. In making this report, the emergency board recommended that the switchmen be accorded the same treatment to be thereafter recommended for the conductors and trainmen. As previously indicated, their case also included the basic issue relative to the establishment of the 40-hour week for yardmen and embraced approximately 90 percent of all the yardmen in the United States.

The Switchmen's Union of North America authorized a strike to commence at 6 a. m., May 23, 1950, on the following railroads:

Chicago, Great Western; Chicago, Rock Island & Pacific; Davenport, Rock Island & Northwestern; Denver & Rio Grande Western; Great Northern; Minneapolis & St. Louis; Northern Pacific Terminal Co. of Oregon; St. Paul Union Depot Co.; Sioux City Terminal Railway Co.; Western Pacific.

On May 19, 1950, the National Mediation Board, pursuant to section 5, first (b) of the Railway Labor Act, proffered its services and requested the organization to postpone the effective date of the strike. On May 19, 1950, the president of the Switchmen's Union of North America advised the National Mediation Board that the strike was postponed until June 1, 1950, pending mediation conferences on May 23, 1950. Mediation conferences were commenced in Washington, D. C., on May 23, 1950, and continued for several days thereafter, following which the National Mediation Board was successful in obtaining a stipulation indefinitely postponing the strike set for June 1, 1950, with the understanding that if the strike was again scheduled, five (5) days' notice would be given.

On June 15, 1950, the Presidential emergency board made its report in connection with the dispute involving the Order of Railway Conductors and Brotherhood of Railroad Trainmen in which specific

recommendations were made in connection with the establishment of a 40-hour week for yardmen represented by the organizations involved in that dispute. On June 22, 1950, the conference committees representing the Western, Eastern, and Southeastern carriers, advised the National Mediation Board that the said committees had accepted the reports and recommendations of the emergency board covering employees represented by the Switchmen's Union of North America (report filed April 18, 1950) and covering employees represented by the Order of Railway Conductors and the Brotherhood of Railroad Trainmen (report filed June 15, 1950), but the organizations involved were unwilling to accept such reports and recommendations.

Members of the National Mediation Board were in Chicago, Ill., and in contact with interested carriers and organizations, in an effort to assist in disposing of the disputes involving all of the interested carriers and labor organizations, but no agreement could be reached.

The Switchmen's Union of North America was unwilling to accept the recommendations of the Presidential emergency board filed on June 15, 1950, and in view of the carriers' unwillingness to go beyond the recommendations of the emergency board, the Switchmen's Union set a strike date of 6 a. m., June 25, 1950.

Prior to the time set for the strike, the National Mediation Board strongly urged the president of the Switchmen's Union of North America to postpone the strike and permit concurrent handling of the dispute involving that organization with the handling of the dispute involving the Order of Railway Conductors and the Brotherhood of Railroad Trainmen. This he declined to do and a strike took place at 6 a. m., June 25, 1950, on the following railroads:

Chicago, Rock Island and Pacific; Great Northern; Chicago Great Western; Denver and Rio Grande Western; and Western Pacific Railroad.

Members of the National Mediation Board exerted every possible effort under the procedures of the Railway Labor Act to avoid the stoppage of work and, after the strike occurred June 25, 1950, made urgent appeals to the Switchmen's Union of North America to direct the employees to return to the service and permit their dispute to be handled concurrently with the dispute then being handled involving the conductors and trainmen's organizations, which embrace a vast majority of the employees of the yard service employees on the railroads nationally. These requests were rejected by the Switchmen's Union.

(NOTE 1.—The strike of the yardmen represented by the Switchmen's Union of North America on the above railroads continued until July 7, 1950, on which date the Switchmen's Union of North America directed the employees on all of the railroads above named, except the Chicago, Rock Island & Pacific Railroad, to return to service. The President of the United States by Executive order seized the Rock Island Railroad and a temporary injunction was secured for the purpose of insuring operation of this carrier.)

(NOTE 2.—Mediation efforts in connection with the dispute between the carriers nationally and the Order of Railway Conductors and the Brotherhood of Railroad Trainmen were being exerted at the close of the fiscal year and continued at Chicago, Ill., until July 10, 1950. Mediation conferences were resumed in Washington, D. C., on July 17, 1950, in cooperation with Mr. John R. Steelman, assistant to the President of the United States. These conferences continued until August 23, 1950, but no agreement was effected between the parties. On August 25, 1950, subsequent to the conclusion of a mediation conference at the White House, the labor organizations involved informed Mr. John R. Steelman, assistant to the President, and the National Mediation Board that all employees repre-

sented by them would withdraw from the service of the carriers at 6 a. m., standard time, August 28, 1950, as a result of failure to reach settlement on the national rules movement. On this same date, the President issued an Executive order providing for taking over the country's railroads at 4 p. m., eastern standard time on August 27, 1950, and providing for their operation by the Secretary of the Army in the name of the United States Government.)

4. HISTORY OF RAILWAY LABOR LEGISLATION

The Railway Labor Act of 1926 and as amended in 1934 is the outgrowth of more than 60 years' experience in Federal legislation dealing with labor relations between the Nation's railroads and their employees. Carriers by air and their employees were placed under the Railway Labor Act by title II thereof, approved April 10, 1936. Reference to Federal legislation prior to that date, therefore, applied only to rail carriers and their employees. The following is the chronological sequence in which legislation was enacted by the Federal Government.

1. Act approved by President Cleveland October 1, 1888.
2. Erdman Act of 1898.
3. Newlands Act, 1913.
4. The Adamson Act, 1916.
5. Labor Relations Under Federal Control, 1917-20.
6. The Transportation Act of 1920.
7. The Railway Labor Act of 1926.
8. Bankruptcy and Emergency Transportation Acts, 1933.
9. Amendments to the Railway Labor Act, 1934.
10. Addition of title II to Railway Labor Act, making air carriers and employees subject to the act.

The following brief review of the railway labor legislation that preceded the Railway Labor Act in its present form will make plain the development of the provisions as now embodied in the act, the circumstances that brought about the distinctions among the various types of disputes, and the manner in which the policies and methods applicable to the different types were fashioned.

1. The first law dealing with railway labor relations was enacted by Congress in 1888, provided (1) for voluntary arbitration and (2) investigation of labor disputes that threatened to interrupt interstate commerce. During the 10 years of its existence, the arbitration provisions were never used, and the investigation provisions were used only once, and then without effect on a strike which had already resulted.

2. The Erdman Act of 1898 was the first law to place reliance upon the policy of mediation and conciliation by the Government for the prevention of railroad labor disputes with a temporary board for each case. The investigation features of the previous act were repealed, but voluntary arbitration was retained as a second line of defense if mediation failed.

3. The Newlands Act of 1913 established a full-time Board of Mediation and Conciliation, and definitely placed main reliance for settlement of disputes upon mediation. The Board was also required, if a dispute arose as to the meaning or application of any agreement reached through mediation, to render an opinion, when requested by either party. Arbitration procedures when mediation failed were improved.

4. The Adamson Act of 1916 was an attempt to settle a dispute

with respect to the basic 8-hour day by direct congressional action when mediation failed and arbitration was refused.

5. Federal Control of the Railroads, 1917-20, established the right of labor to organize without interference by the management. It negotiated national agreements with labor organizations representing certain classes of employees. It also established railway boards of adjustment, equally representative of management and employees, with authority to make decisions in all disputes involving interpretation or application of existing agreements.

6. The Transportation Act of 1920 created the United States Railroad Labor Board of nine members (three to represent, respectively, management, labor, and the public), with authority to hear and decide all disputes that could not be disposed of in conferences between representatives of the carrier and the employees. Compliance with decisions of the Board was not made obligatory, however. The act was in part a reversion to the principles of the first law of 1888. Mediation was discarded; in its place were substituted hearings and investigations of disputes by the Board with recommendations in the form of decisions which the pressure of public opinion was expected to enforce.

7. The Railway Labor Act of 1926 reestablished mediation as the basic method of Government intervention in railway labor disputes, with voluntary arbitration to be urged upon the parties if this failed. It strengthened mediation by making it obligatory upon carriers and employees to exert every reasonable effort to make and maintain agreements through representatives chosen by each party without interference by the other. And it made provision for the establishment of adjustment boards by voluntary agreement of carriers and employees for the purpose of interpreting and applying the agreements. This act was an attempt to embody the best features of the previous legislation in a labor-relations law for the railroads.

8. The Bankruptcy and Emergency Transportation Acts of 1933 extended the provisions of the Railway Labor Act to cover all roads in receivership, prohibited "yellow dog" contracts, provided protection against interference and coercion on the part of the management in the matter of self-organization of employees. All of these provisions were, in the following year, included in the amendments to the Railway Labor Act.

In none of the foregoing legislative steps was there any compulsory provision in connection with the settlement of labor disputes, the principles of voluntary negotiation, mediation, and voluntary arbitration being the fundamental bases on which these acts were predicated. However, during the period of Federal Control of Railroads (1918-20), the Director General issued orders establishing rates of pay, rules, and working conditions for various classes of employees.

The Railway Labor Act, 1926, was the result of a joint approach to the Congress by railroads nationally and the so-called standard railroad brotherhoods representing all classes of railroad employees nationally. This was looked upon not only as a most unique approach but one of far-reaching significance in the important field of labor relations. The extensive hearings before committees of both the Senate and the House are replete with statements from nationally recognized leaders of both the railroads and the railroad brotherhoods, in which the belief was expressed that the proposed law would operate to establish and maintain peace in the railroad industry. The

following excerpts are illustrative of statements made during the course of the 1926 Congressional hearings:

By D. B. Robertson, President, Brotherhood of Locomotive Firemen and Enginemen (January 14, 1926, p. 41)—

The basic value of this proposed legislation lies in its reliance upon the force of contract and not of external compulsion. It is a machinery to promote peace, not a manual of war. Prohibitive commands, fearsome penalties, and threatening gestures would be entirely out of place and inconsistent with the spirit of the proposed act. It is a measure to promote industrial harmony based on collective bargaining and is itself a product of agreement.

Neither party is seeking a law to hamper enemies or to favor friends. Both are seeking public ratification of and cooperation in our joint effort to solve the problems of our industry so as to do justice to all private interests involved and to protect public interests.

By Mr. Daniel Willard, President, Baltimore and Ohio Railroad Company (February 1, 1926, p. 145)—

Of course, no one can claim that this bill, if it should be passed, would absolutely and at all times prevent the possibility of a strike, nor do I know of any piece of legislation now conceivable that could be guaranteed to have that result. I have been unable to hear that in any other country any bill, any piece of legislation, has been wrought out that would absolutely bring that result. I do believe that this scheme, this plan of dealing with such questions, is as likely to prevent interruption as any bill that can be drawn at this time, and I believe it is more likely to bring that result than the provisions in the act at the present time.

The 1926 act was passed substantially as proposed by both the railroads and the railroad brotherhoods and incorporated provisions encouraging the establishment of regional or system bi-partisan boards of adjustment. The provisions for mediation proceedings, including voluntary arbitration, outlined the basic duties to be assumed by the Government in the event of deadlocks between the parties. Section 10, providing for the establishment of Presidential emergency boards was for the first time incorporated in this legislation.

When disputes regarding interpretation or application of agreements arose, they were handled by regional or system boards of adjustment where established. There was no provision for breaking deadlocks. When such disputes arose where there was no adjustment board machinery, or where the adjustment boards deadlocked, the only route open was to seek mediation service. The handling of deadlocked grievance cases by the Board of Mediation was resorted to in many instances, but because of the large accumulation of such cases, the procedure was neither expeditious nor fully effective. Hence a large volume of grievance disputes accrued prior to 1934. In 1934 the act was amended in two important respects—(1) Inclusion of section 2 relative to rights and procedures in determining collective bargaining representation of employees, and (2) Inclusion of section 3 providing for the establishment of the National Railroad Adjustment Board for the handling of disputes growing out of grievances, or out of the interpretation or application of agreements concerning rates of pay or working conditions.

The following testimony of the late Joseph B. Eastman, Federal Coordinator of Transportation, before the House Committee on Interstate and Foreign Commerce on May 22, 1934, in connection with the proposed amendments, is particularly interesting:

The act as enacted in 1926 "was worked out in conference between representatives of the railroads and representatives of the employees and was favored by both sides. It was frankly an experiment, dependent largely upon the good faith

and good will of the parties, the skill of the Government mediators, and in the last analysis the power of public opinion informed in emergencies by a Presidential fact-finding board. The act prescribed a definite procedure for collective bargaining by the independent parties freed from interference, influence, or coercion and set up machinery for mediation, arbitration, and fact finding, but it provided no penalties or other specific means of enforcing the duties which were imposed. The two parties wished to see the experiment tried; they were very hopeful of good results, but neither was sure of the outcome."

The amendments of 1934, above referred to, did not disturb the procedures of direct negotiation, mediation, arbitration, and emergency boards. These were simply added methods for designation of employees' representatives and settlement of grievances.

No need for amending the mediation, arbitration, and emergency board provisions of the law was expressed. Everyone seemed to be in general agreement that these procedures were highly effective in facilitating peaceful settlement of railway labor disputes. On this point the testimony of M. W. Clement, former president of the Pennsylvania Railroad, is representative of the general sentiment on this point prevailing at that time:

Out of all the cases of demoralization, of dissatisfaction, of strikes, of discontent, from around 1918 to 1922, a common point of view came to organization leaders and railroad managements, each recognizing the rights of the other—but, above all, the greater rights of the men—they came together and prepared the Railway Labor Act of 1926. Never in modern times has there been such peace, such contentment, so little strife in any one industry, as has existed in the transportation field in these past 8 years. Taking cognizance of the fact that these relations have endured and carried through the greatest depression of modern civilization, it is a tribute to the cooperation which brought this thing about. The records will show that there have been no strikes of moment since the passage of the Railway Labor Act.

THE RAILWAY LABOR ACT, AS AMENDED

The existing Railway Labor Act is the most detailed procedural legislation ever enacted by the Federal Government with respect to the progressive steps through which labor disputes shall be handled. These procedures may be summarized as follows:

1. At least 30 days' notice of intended change in rates of pay, rules, or working conditions.
2. Arrangement for conference within 10 days after notice is served, which conference shall be held not later than 30 days after receipt of notice of intended change.
3. Provision that every reasonable effort shall be exerted in making and maintaining agreements.
4. Request for mediation service if agreement is not reached, and subsequent efforts of National Mediation Board.
5. Duty of National Mediation Board to endeavor to induce the parties to submit their controversy to arbitration if mediation is unsuccessful.
6. Provision for form of arbitration agreement, selection of members, etc., if arbitration agreement is reached.
7. Provision for appointment of an emergency board by the President of the United States if there is a threatened stoppage which would deprive any section of the country of essential transportation service.
8. Provision for status quo for 30 days after emergency board is created and for 30 days after it makes its report to the President.

The National Mediation Board has no enforcement powers but acts purely as a mediatory agency, which means that its representative sits as a friendly officer of the United States Government, armed only with the weapon of friendly counsel and practical assistance in an effort to make collective bargaining successful.

The process of mediation has been followed for all classes of railroad

employees since 1926. Previous mediation acts applied, to those classes of railroad employees who were engaged in or in connection with the operation of trains. Mediation service, by and large, has proved most effective. Considering the thousands of disputes which arise daily in the Nation-wide rail and air industries, the number of cases which have reached the mediation stage have, percentage-wise, been relatively small.

5. MANAGEMENT IMPROVEMENT PROGRAM

The Board is fully aware of the objectives set forth in Title X of Public, 429, 81st Congress, and Executive Order 10072 relative to plans for management improvement and is adhering to these objectives in connection with the administrative mechanics of its operations. However, being the principal administrative agency under the Railway Labor Act, the Board fully recognizes that the over-all effectiveness of the law in assisting in peaceful settlements and preventing strikes is a vital part of any analysis of its program and performance. The Board will, therefore, continue to use its best efforts to accomplish the purposes of the act in the most effective, efficient, and economical manner.

In this broader field the Board proposes to discuss with authorized representatives of carriers and employees possible improvement in the utilization and effectiveness of the National Railroad Adjustment Board and to point out the value of agreeing on awards and reducing the need for referees. Further, to minimize and, if possible, eliminate the necessity for emergency boards in connection with dockets of grievances which are referable to the National Railroad Adjustment Board.

It is the purpose of the Board to make efforts through responsible representatives of the labor organizations to avoid interorganizational disputes over representation, mileage limitations, and jurisdiction of work, etc.

It will be the purpose of the Board to emphasize that the Railway Labor Act is basically the product of a joint agreement between the carriers and the employees and that the success of the law is dependent upon their cooperation in carrying out its provisions as was explained to the Congress when the law was originally enacted.

It will be the purpose of the Board to endeavor to convince responsible representatives of the parties that section 10 of the act, providing for the creation of emergency boards by the President, was not designed as a catch-all to discourage collective bargaining settlements but, rather, as placing emphasis upon the value of voluntary settlements except in extreme situations. The National Mediation Board intends to use its best influence to the end that the full purposes of the Railway Labor Act may be fulfilled.

6. REPRESENTATION DISPUTES

Employees subject to the Railway Labor Act are free to join, organize, or assist in organizing the labor union of their choice. In exercising these rights the law protects employees against interference influence, or discrimination by management.

The act also provides for majority rule and sets up procedures for settlement of disputes between employees as to who are their duly authorized collective bargaining representatives. Where such dis-

putes arise, the Board, on application of either party to the dispute, is required to investigate. In its investigation the Board is authorized to conduct a secret ballot or use any other appropriate method for determining the majority choice of the employees. Having determined the individual or organization designated and authorized by a majority of the employees, the Board is required to certify the name of the representative to the employees and the carrier. The statute directs the carrier to treat with the certified representative for the purpose of effecting prompt settlement of all disputes respecting rates of pay, rules, and working conditions.

The Board requires applications for its services in representation disputes to be supported by a sufficient number of signed authorizations from the employees involved to establish the existence of a dispute. Such authorizations serve as prima facie evidence of a dispute. Following verification of authorizations by an on-the-ground investigation by one of the Board's mediators, he is directed to conduct an election or use any other appropriate means for ascertaining the duly authorized representative of the employees.

In the investigation of representation disputes, it is not uncommon to encounter situations where incumbent organizations circularize employees and secure signatures on forms which state that the employee revokes his authorization in support of the applicant organization. During the fiscal year 1950 the Board gave extensive consideration to this problem as it developed in a number of cases. As a result a statement of policy was issued under date of March 17, 1950, in a case involving yardmasters of the Houston Belt and Terminal Railway Co.¹ The pertinent portions of that policy are:

While the Board has adopted no hard and fast policy relative to the recognition of notices of revocation of signatures on authorization cards previously secured, it has been the general practice for the Board to advise the party who may have submitted such revocations to this Board that such communications and notices of revocation should be addressed to the party to whom the original authorization card had been given.

Employee revocations of signed authorization cards should be submitted to an applicant organization rather than to this Board for the reason that a determination must be made by such applicant organization as to whether, on the basis of such revocations, it desires to have this Board proceed with the investigation. Accordingly, unless the organization which has submitted the authorizations recognizes the revocation and consents to the withdrawal of its petition, this Board will take no official cognizance of the revocations in determining whether an election shall be conducted, except where there are circumstances which the Board considers sufficient to warrant a variation from this general policy.

In effectuating this policy, if the applicant does not choose to withdraw its application on the basis of revocation action by the employees, the Board proceeds with its investigation under section 2, ninth, of the act. If a representation election is warranted in the circumstances, the Board proceeds with the balloting in the same manner as though no revocation forms had been submitted. This policy is based on the fact that an interunion representation dispute is not settled by any amount of signatures on authorization cards or revocations. Such a procedure could be continued indefinitely, all the while settling nothing but, on the contrary, creating more unrest and dissatisfaction among the employees.

The presence of authorizations and counter authorizations is no reliable indication of the true desires of employees for representation. It is only when the employee is given an opportunity to vote by

¹ R-2246.

secret ballot that his true desires are expressed and often the results of such elections are quite different than indicated by the preelection buildup.

In conducting representation elections the Board has for many years followed a policy of declining to certify a representative in cases where less than a majority of the eligible voters participated by casting valid ballots. This policy is based on section 2, fourth, of the act which provides that "the majority of any craft or class of employees shall have the right to determine who shall be the representatives of the craft or class." These provisions appeared to fully support the Board in declining certifications in cases where only a minority of the eligible employees participate in elections.

During recent years, however, this policy was challenged in a number of cases by labor organizations on the ground that the courts have construed the National Labor Relations Act and the Railway Labor Act to mean that a certification must be recognized when issued in cases where a majority of those participating in an election designated a representative regardless of the number of eligible voters actually casting valid ballots. To assist in reviewing its policy on this problem, the Board obtained an opinion by the Attorney General dated September 9, 1947. In his opinion the Attorney General said:

* * * the National Mediation Board has the power to certify a representative which receives a majority of the votes cast at an election despite the fact that less than a majority of those eligible to vote participated in the election. While the National Mediation Board has this power, it need not exercise it automatically upon finding that a majority of those participating were in favor of a particular representative. In the exercise of its discretion in these matters, the Board may, for example, find it advisable to limit the application of the principle to cases in which the participation in the election is sufficiently substantial and representative to warrant the presumption that "those who do not participate * * * assent to the expressed will of the majority of those voting."

Under the Railway Labor Act it is the primary duty of carriers and employees "to exert every reasonable effort to make and maintain agreements concerning rates of pay, rules, and working conditions, and to settle all disputes * * * in order to avoid any interruption to commerce or to the operation of any carrier growing out of any dispute between the carrier and the employees thereof." The Board is of the opinion that this duty can more readily be fulfilled and stable relations maintained by a requirement that a majority of eligible employees cast valid ballots in elections conducted under the act before certifications of employee representatives are issued.

This policy of the Board was challenged by the Radio Officers' Union, CTU-AFL, in a court action initiated in the U. S. District Court for the District of Columbia. The action was taken on the basis of the Board's declination to certify in an election among employees of Pan American Airways. In the election there were 183 employees eligible to vote but only 86 cast ballots and, of this number, 17 were void. In accordance with its well-established policy, the Board declined certification. Action in the District Court was based on the allegation that "the Board's action was arbitrary, capricious, contrary to law and violative of rights guaranteed by the terms of the act."

The action was dismissed in the District Court² and appealed. In a decision on April 10, 1950, the U. S. Court of Appeals, District

² No. 10197.

of Columbia Circuit, sustained the dismissal order of the District Court, as follows:

We find no error in that court's order. The right of representation for the majority was created by Congress under this act. Congress, however, also decided, as it had the power to do, upon the method for the protection of this right which it had created. The method provided was the administrative determination by the Board, and when the administrative finding is made the dispute has reached its last terminal point.³ Congress chose not to confer any judicial remedies in a case such as this.⁴ The duty of the Board is one of investigation and certification of the designated and authorized representative whenever, in the case of a dispute, one of the parties thereto so requests. The question of whether or not a given claimant is the designated representative must be based on investigation, and in the matter of investigation the Board's actions are purely discretionary.

The action of the Court of Appeals reviewed above was not appealed.

After certifications are issued, it is the policy of the Board not to conduct repeat election until the organization certified has had a reasonable period to function as the duly authorized representative of the employees. Under rules promulgated by the Board effective May 1, 1947, a period of 2 years must elapse between representation elections. This policy derives from the law which imposes upon both carriers and employees the duty to exert every reasonable effort to make and maintain agreements. Obviously, this basic purpose of the law cannot be realized if the representation issue is raised too frequently. In addition, representation elections and the organizing campaigns which necessarily precede them cause unsettled labor conditions and, in many cases, disturb employees substantially in the discharge of their duties.

The collective-bargaining unit under the Railway Labor Act is the craft or class. In representation cases, dispute occasionally develops over the particular occupations to be included in the craft or class. In determining such issues the Board gives consideration to all relevant elements, most important of which is the intent of the Railway Labor Act in settling disputes and promoting stable labor relations. Individual cases require consideration of facts peculiar to particular situations but, in addition, there are general factors to be considered. These include the composition and relative permanency of employee groupings along craft or class lines on carriers generally, as well as on particular carriers. The extent and effectiveness of past collective-bargaining arrangements, the functions, duties, and responsibilities of the employees, the general nature of their work, and the community of interest existing between jobs are other factors considered. Previous decisions of the Board which bear upon the issues of the particular dispute are also taken into account.

Over the years most of the main craft or class issues for railroad employees have been resolved. Thus there is a rather extensive body of precedents for settlement of such issues without the necessity for public hearings. Such issues as do require hearings usually involve border-line employees where the Board must determine whether they fall into one craft or class or another.

One of the determinations issued during the fiscal year 1950⁵ concerned clerical and office employees of the Pullman Co. In determining the craft or class for such employees, the Board recognized

³ *Switchmen's Union of North America v. National Mediation Board*, 320 U. S. 297, 88 L. Ed. 61 (13 LRR Man. 616) (1943).

⁴ *General Committee, B. L. E. v. Missouri-Kansas-Texas R. R. Co.*, 320 U. S. 323, 88 L. Ed. 76 (13 LRR Man. 627) (1943).

⁵ R-2125, R-213—September 29, 1949.

that the Pullman Co. performs sleeping car service for the railroad industry. This makes for considerable similarity in the work of comparable employees and, accordingly, the Board determined that the same craft or class groupings should apply for Pullman employees as for railroad workers.

Another determination issued by the Board during the past fiscal year dealt with the question of whether the San Antonio, Uvalde and Gulf Railroad Co. (SAUG) is a separate carrier for purposes of determining representation under the Railway Labor Act. In a representation dispute filed by the Order of Railway Conductors, the incumbent organization, i. e., the Brotherhood of Railroad Trainmen, contended that the "Missouri Pacific Railroad and all its operated subsidiaries, including the San Antonio, Uvalde and Gulf Railroad, is a single carrier * * * for purposes of the Railway Labor Act." The position of the brotherhood was taken despite the record of two previous cases in which elections had been conducted among the same craft or class of employees of the SAUG as a separate carrier. Following investigation which included a public hearing, the Board determined⁶ that for the present it would not disturb what has in the past been accepted as a carrier for voting purposes.

The question considered in the above case is closely related to the problem frequently raised with the Board in applications to represent only a part of a craft or class of employees. The act provides that the majority of a craft or class shall have the right to determine the representative for the entire craft or class. In discharging its functions under the law, the Board has concluded in numerous cases that a craft or class includes all employees of a carrier performing related work. In addition, the Board has ruled on many occasions that representation disputes in any craft or class must be determined on a system-wide basis, and cannot be confined to the employees in any particular geographical area.

In dealing with this subject as it has arisen in various forms, the Board views with some concern the tendency to divide established and well recognized crafts or classes. Typical of such instances are applications to represent only a few selected occupations of an established craft or class or applications for representation of the employees of a craft or class at only one terminal or on only one division of a carrier whose lines may extend over hundreds of miles. To permit such divisions would give rise to more divisions and subdivisions. Once the bars are down, there is no logical stopping place and such a course would ultimately defeat real collective bargaining as contemplated by the law. On the other hand, stabilization of well recognized crafts or classes as they have been generally established on carriers under the act by the employees and managements after long years of negotiations will tend to stabilize collective bargaining relationships.

The Railway Labor Act extends representation rights to subordinate officials as well as employees. Distinguishing between officials and subordinate officials sometimes involves the Board in difficult determinations. In its 1948 report the Board reviewed this problem as it applies to carriers by air subject to title II of the act. The particular case involving this problem concerns Northwest Airlines and the International Association of Machinists, a labor organization which filed an application with the Board for investigation of a representa-

⁶ Case R-2165--Determination-Carrier. June 26, 1950.

tion dispute among wage earners generally described as mechanical department foremen or supervisors of mechanics. The carrier contended that any investigation by the Board of the alleged dispute was untimely and inappropriate in the absence of an order of the Interstate Commerce Commission defining the work performed by the persons above referred to as that of employees or subordinate officials under the Railway Labor Act. The problem as thus presented questioned the right of the Board to determine whether wage earners employed by airlines are employees or subordinate officials within the meaning of the act. Following a public hearing and consideration of briefs filed by a large number of the airlines and labor organizations, the Board handed down a determination with an opinion in which it found as a matter of law that it had the authority and the duty to determine who are employees or subordinate officials of carriers by air pursuant to title II of the Railway Labor Act, as amended.⁷

Following this determination the Board proceeded with its investigation as required by section 2, ninth, of the act. In challenging the Board's jurisdiction, the carrier also contended that the personnel covered by the application were officials within the meaning of the Railway Labor Act, and as such should be denied collective bargaining representation under the law.

In determining this question the Board held a second public hearing. Based upon the record as thus developed, the Board found⁸ that:

Supervisory employees fall into various levels of authority and are assigned specialized functions to suit their respective abilities. It is unnecessary to engage in nice distinctions between various levels of authority in the instant case because the record is clear that the duties and responsibilities of the employees involved herein do not extend beyond the immediate supervision of employees who perform the manual work incident to the overhaul, maintenance, and service of aircraft and equipment.

The carrier contends that these supervisory employees are "officials" and not subject to collective bargaining representation under the act. The facts reviewed do not support this contention.

The Board concludes that the work performed by the supervisors or foremen in the positions discussed in the facts is the work of an employee or subordinate official within the meaning of the Railway Labor Act, as amended.

During the 16-year period since the Railway Labor Act was amended to provide for settling representation disputes, the Board has disposed of 2,288 such controversies involving 880,976 employees. In 1,856 of these cases, or 81 percent, involving 804,934 employees, or 91 percent, representation rights were established either by issuance of certifications or by voluntary recognition by the carrier management involved. During 1950, a total of 128 representation cases involving 66,859 employees were disposed of compared to 139 cases involving 34,911 employees in 1949. Following the period 1945-47 when there was a sharp increase in the number of representation disputes, it appears that the number of representation cases for rail and airline employees has returned to the level of the early war years.

A more detailed discussion of the Board's work in the investigation of representation disputes is given in chapters II and III.

7. NATIONAL RAILROAD ADJUSTMENT BOARD

The 1934 amendments to the Railway Labor Act created the National Railroad Adjustment Board to hear and decide disputes

⁷ Determination—Northwest Airlines, May 26, 1948.

⁸ Case R-2107—Northwest Airlines, August 17, 1949.

involving employee grievances and controversies over the application and interpretation of agreements.

The Adjustment Board is composed of four divisions, on which the carriers and the employees are equally represented. The jurisdiction of each division is described specifically in section 3, first (h), of the act. The headquarters of the Adjustment Board are established by the law in Chicago, Ill.

When any division is unable to agree upon an award because of a deadlock among its members, the law requires the division to attempt to select a referee to sit with it as a member and render an award. Failing to agree upon the selection of a referee, this fact may be certified to the National Mediation Board, which is then required to make the appointment.

While the Second, Third, and Fourth Divisions have been able to keep abreast of their docket of cases, the same cannot be said of the First Division. This is due in part to the fact that the First Division is called upon to handle more than four times the number of cases handled by the other three divisions combined. Thus, during the 16-year period 1934-50, the First Division disposed of 23,067 cases, whereas the Second, Third, and Fourth Divisions disposed of 1,384, 4,865, and 644 cases, respectively.⁹ During this period the other divisions were able to keep their docket current. The First Division, however, is regularly behind in handling its docket of cases. For instance, during 1950, the Division docketed 1,766 new cases and disposed of 1,438 disputes. As a result the backlog increased during the year from 2,842 as of July 1, 1949 to 3,170 as of June 30, 1950. Based upon the number of cases disposed of during 1950 the First Division had on hand at year's end work for more than 2 years.

In an effort to expedite the case handling process representatives of the carriers and five operating brotherhoods agreed in May 1949 to the creation of two supplemental boards. Under the agreement the supplemental boards handle such cases as may be assigned by the First Division. Delay of several months in securing necessary funds through appropriations prevented getting the supplemental boards into operation. Even after funds became available organizational difficulties caused further delay and it was not until well into January 1950 that the supplemental boards began to function effectively. However, the cases disposed of by the First Division increased from 731 in 1949 to 1,438 in 1950, a gain of nearly 100 percent. While these results are encouraging the backlog continues large and it remains to be seen whether the two supplemental boards are sufficient to meet the problem. A heavy backlog means long delays in considering cases and issuing awards. These delays often run into years. Employees and their representatives, tiring of such long delays have resorted to other techniques to secure settlements.

Some of the organizations have withdrawn cases pending before the Division and declined to submit new cases, preferring to secure settlements by direct handling with the carrier management. Where such negotiations fail, strikes are sometimes threatened, thereby creating labor emergencies under provisions of section 5, first, of the act. In such cases, the National Mediation Board, in an effort to prevent interruptions to commerce, proffers its mediation services. As in previous years there were numerous situations of this kind during 1950. A great amount of time of the Board and its mediators was

⁹ For further information on cases disposed of by the four divisions see chapter VII, table 13.

spent in preventing strikes in such situations. Time spent endeavoring to mediate disputes of this type is at the expense of regular mediation cases. Where efforts to settle grievance disputes by mediation were unsuccessful, emergency boards were created by the President under provisions of section 10 of the act as a means of averting threatened strikes. During the past year 6 of the total of 11 presidential emergency boards named were created to investigate threatened strikes over grievance disputes which, under the law, should properly be disposed of by the First Division.

In addition, one of the most costly strikes in the history of American railroading resulted from one of those disputes. That strike involved one of the Nation's larger rail carriers, i. e., the Missouri Pacific Railroad Co., and caused a shut-down in operations of this carrier for a period of 45 days.

The National Mediation Board repeats what has been reported in previous years that failure to exercise necessary restraint in utilizing procedures of the law for settling such disputes peaceably hits at the very heart of the Railway Labor Act. This thought has been expressed previously by the Mediation Board and has been pointed out repeatedly by emergency boards which have investigated grievance disputes in which strikes have been threatened.

In the Missouri Pacific case the Presidential Emergency Board sought vainly to secure acceptance of procedures for settling the dispute and averting the threatened strike. In pointing out the serious potentialities of unyielding attitudes in such disputes, the Board sounded a note of warning which has application generally:

It seems inconceivable to us that a coercive strike should occur on one of the Nation's major transportation systems, with all of the losses and hardships that would follow, in view of the fact that the Railway Labor Act provides an orderly, efficient, and complete remedy for the fair and just settlement of the matters in dispute. Grievances of the character here under discussion are so numerous and of such frequent occurrence on all railroads that the general adoption of the policy pursued by the organizations in this case would soon result in the complete nullification of the Railway Labor Act. We cannot bring ourselves to believe that these parties are ready to assume the responsibility of sponsoring such a program.

Despite the unrelenting efforts of the Board the stoppage did become effective and it was not until some 45 exhausting days of the strike that the parties finally settled their differences in direct negotiations.

Another threatened strike during the year over grievances provides an example of the impracticability of attempting settlement of such disputes through the emergency board procedures of the act. That case involved a dispute between the Brotherhood of Railroad Trainmen and the Denver & Rio Grande Western Railroad. When no settlement could be effected by mediation an emergency board was named to investigate and report on the dispute. This was the second emergency board on this property to consider grievance dockets. In referring to earlier emergency board investigations the latter emergency board commented as follows:

We concur with the view of the emergency board created by your Executive Order No. 10037 on this property who in their report dated March 5, 1949, said, "Under the design of the act it is not its purpose to create emergency boards to pass on grievances."

The earlier emergency board on the Denver and Rio Grande Western also pointed out the error and serious potentialities of bypassing the First Division in favor of emergency boards in grievance disputes.

It is an unfortunate fact that the backlog of cases which has ac-

cumulated upon the docket of the National Railroad Adjustment Board, First Division, has retarded progression of new claims to the extent that it may now take several years between the date a claim is submitted and the ultimate disposition of such claim by the Division. This, no doubt, has contributed to the tendency upon the part of some of the operating crafts to bypass the First Division and threaten strikes on grievance matters, a tendency which we have deplored as leading to a weakening of the emergency board procedures of the law. The damage done is not irreparable, however.

A conference of top executives of the railroads and the operating brotherhood should be held without further delay to devise some workable methods for eliminating this log jam. The establishment of the supplemental boards, of which mention has already been made, is a long step in the right direction. The revised procedural rules agreed to on May 19, 1949, constitute also a helpful step.

There have been many suggestions made, and all deserve serious discussion and consideration. For instance, it has been suggested that a panel of permanent referees be established to cope with the situation. It has also been suggested by some authorities that the congestion be relieved by the withdrawal of large groups of cases for settlement on the property, by special boards of adjustment or by arbitration, if need be. We have previously stated and continue to feel that a more determined effort should be made to dispose of a larger proportion of cases without the intervention of a referee. Also, there is definite need for some understanding between the carriers and the brotherhoods on the extent to which awards of the First Division shall serve as precedents in disposing of like claims. None of these particular suggestions deals with separate questions; all are closely related and, to a large extent, dovetail in forming a program for dealing with the over-all adjustment board problem.

8. LABOR CONTRACTS

Section 5, third (e) of the Railway Labor Act, requires all carriers subject to the law to file with the Board a copy of each contract with employees covering rates of pay, rules, or working conditions. The law also requires that changes, revisions, or supplements to such contracts shall be filed with the Board.

As of June 30, 1950, there was a total of 5,092 basic labor agreements on file with the Board. To note the increase in the number of agreements covering employees under the Act it is interesting to compare the above total with 3,021, which is the number of such contracts on file on June 30, 1935. In addition to the basic contracts there are filed each year with the Board hundreds of supplemental agreements, revisions, and memoranda of understanding on various subjects.

Table 10 of this report shows the increase in the number of such contracts from year to year since the Act was amended in 1935.

II. RECORD OF CASES

1. CASES HANDLED BY THE BOARD

Labor disputes subject to the jurisdiction of the National Mediation Board are generally divided into three groups:

(1) Disputes involving representation of employees by various labor organizations for the purposes of collective bargaining.

(2) Disputes between carriers and their employees concerning changes in rates of pay, rules, or working conditions not adjusted by the parties in conference.

(3) The interpretation of agreements reached through mediation, where disputes arise between the parties as to the meaning or application of such agreements.

Disputes in the above three categories are designated for purposes of the Board's records as representation, mediation, and interpretation cases, respectively.

The total of the three kinds of cases docketed during the fiscal year 1950 was 394, as compared to the total of 408 cases docketed in the previous fiscal year. The reduction in the number of mediation cases docketed was very slight, being 266 in 1950 as compared to 268 in 1949. The reduction in the number of representation cases was slightly more, being 128 in 1950 as compared to 139 in the previous fiscal year.

The number of interpretation cases is never large. During the fiscal year 1950 there were no cases docketed in this category. This compares with one interpretation case in the previous fiscal year.

Cases disposed of totaled 362 in 1950. The number of mediation cases settled in 1950 was 234 as compared to 309 in 1949. The total of representation cases disposed of in 1950 was 128 as compared to 139 in the previous fiscal year.

Among the major reasons for the reduced number of mediation settlements was the necessity during the year for assigning a number of mediators who usually work on mediation cases to assist in conducting a representation election among some 43,000 employees of the Pennsylvania Railroad. This single representation election was by far the largest conducted during the year and required a total of 592 mediator days. Almost half of this total was supplied by mediators who are usually assigned to mediation cases.

Another factor contributing to the reduced number of mediation settlements in 1950 was the fact that a considerable amount of mediation time had been devoted to cases which had not been closed by the end of the fiscal year. While it is not uncommon to recess mediation in a case, the number of recesses during the past fiscal year was unusually high.

Still another factor which contributed to the reduced number of mediation settlements is the unusual amount of mediation service required

in disputes involving airlines and their employees. This factor was discussed in the Board's annual report for 1949, wherein it was pointed out that airlines accounted for 20 percent of the total mediation cases settled but required one-third of the total time devoted to mediation efforts. In 1950 airlines accounted for 19 percent of the mediation cases but these disputes required 27 percent of the total time devoted to mediation.

While the greater amount of mediation time required on airline cases is not a factor to the small number of mediation settlements during 1950, it demonstrates the difficulty of effecting settlements in airline disputes.

In a number of the Board's past annual reports it has been pointed out that a disproportionately large number of mediators are required in endeavoring to prevent threatened work stoppages arising out of disputes over grievance cases, which, under terms of the Railway Labor Act, are subject to settlement by the National Railroad Adjustment Board. Such disputes usually include a large number of grievance dockets which in most cases run into the hundreds. Efforts to effect settlement through mediation require individual consideration of each docket. Such cases usually occupy a mediator for several months, which is very much greater than the time usually required to effect settlements in regular mediation cases. For example, one such case in 1950 involved some 412 individual grievance disputes. Although the entire docket was settled through mediation it required the services of one mediator for practically 5 months. To the extent that mediation proves successful in this case it may be considered as one of the more fortunate examples. Such cases, which involve individual grievance disputes and disputes over the application of the terms of labor agreements, are more suited to a definite decision for or against, rather than the compromise settlements which usually result when mediation efforts are applied. The principle of definite decision in such cases by the parties at interest or a neutral referee was recognized in the amendments to the Railway Labor Act, enacted in 1934, which provided for the National Railroad Adjustment Board.

For a number of years the Mediation Board has found it necessary to proffer mediation services as a means of avoiding threatened work stoppages on carriers where a large number of grievance disputes have accumulated. The extent to which mediation efforts in such instances have reduced the total number of mediation settlements is indicated by comparing the total mediation settlements during the five postwar years. In 1945 and 1946 the total number of mediation settlements were 359 and 379, respectively. It was at about that time that the train and engine service organizations showed a growing tendency to set strike dates on grievance dockets which should normally be referred for settlement to the First Division of the National Railroad Adjustment Board. This policy of the organizations has been continued despite repeated statements by the National Mediation Board as well as numerous emergency boards that such action tends to weaken the basic principles of the Railway Labor Act. During the years subsequent to 1946, without any reduction in the number of mediators, the number of mediation settlements has shown marked declines. A major factor in this reduction has been the large amount of mediator time devoted to mediating settlements of disputes over grievances.

TABLE 1.—Number of cases received and disposed of, fiscal years 1935-50

Status of cases	All types of cases						
	16-year period	Fiscal year 1950	Fiscal year 1949	Fiscal year 1948	3-year period 1945-47 (average)	5-year period 1940-44 (average)	5-year period 1935-39 (average)
Cases pending and unsettled at beginning of period.....	96	93	134	129	200	126	151
New cases docketed.....	5,706	394	408	469	479	381	219
Total cases on hand and received.....	5,802	487	542	598	679	507	370
Cases disposed of.....	5,677	362	449	464	522	347	220
Cases pending and unsettled at end of period.....	125	125	93	134	157	160	150
Representation cases							
Cases pending and unsettled at beginning of period.....	24	23	23	59	57	34	43
New cases docketed.....	2,287	128	139	167	190	149	108
Total cases on hand and received.....	2,311	151	162	226	247	183	151
Cases disposed of.....	2,288	128	139	203	195	139	107
Cases pending and unsettled at end of period.....	23	23	23	23	52	44	44
Mediation cases							
Cases pending and unsettled at beginning of period.....	72	70	111	69	143	91	108
New cases docketed.....	3,398	266	268	301	288	230	110
Total cases on hand and received.....	3,470	336	379	370	431	321	218
Cases disposed of.....	3,368	234	309	259	326	206	112
Cases pending and unsettled at end of period.....	102	102	70	111	105	115	106
Interpretation cases							
Cases pending and unsettled at beginning of period.....	0	0	0	1	0	1	0
New cases docketed.....	21	0	1	1	1	2	1
Total cases on hand and received.....	21	0	1	2	1	3	1
Cases disposed of.....	21	0	1	2	1	2	1
Cases pending and unsettled at end of period.....	0	0	0	0	0	1	0

Before applications are formally docketed they are subjected to preliminary investigation with a view of developing necessary information. This procedure serves a dual purpose. First, in a considerable number of instances, preliminary investigation develops facts which show the application not in proper form for docketing. Thus the matter can be disposed of through correspondence without the need of on-the-ground investigation by a mediator. Second, this procedure serves to clarify obscure points and thus facilitates the work of the mediator in his handling of the case. During 1950, a total of 27 applications were disposed of by correspondence as a result of this preliminary investigation. Adding these to the 394 applications which were docketed, makes a grand total of 421 applications for Board services received during the year. This compares with a grand total of 443 in 1949 and 520 in 1948.

Table 1 summarizes the various types of cases received and disposed of from June 21, 1934, when the Board commenced operations through June 30, 1950. During this 16-year period, 5,706 new cases were docketed. The inclusion of 96 pending disputes inherited from the former board (United States Board of Mediation) increases to 5,802 the total cases requiring services of the present Board since it began operations. As of June 30, 1950, settlements had been effected in 5,656 of these cases. Except in the first year of the Board's operation, the number of mediation cases has run consistently ahead of representation cases. Mediation cases docketed during the 16-year period total 3,398 as compared with 2,287 representation cases. The percentage ratio is 60 and 40 for the 2 types of cases. During the 16-year period, 21 interpretation cases have been disposed of by the Board. This number is considerably less than 1 percent of the total.

2. DISPOSITION OF CASES

During the fiscal year 1950, the Board disposed of 362 docketed disputes. This total includes 128 representation cases and 234 mediation cases. Table 2 summarizes by method of disposition all cases handled to conclusion during the 16 years of the Board's operation. Data for the past 3 years are shown separately. Annual averages are shown for the 5-year periods 1935-39 and 1940-44 and for the 3-year period 1945-47.

REPRESENTATION DISPUTES

In the investigation of representation disputes under section 2, ninth, of the Railway Labor Act the Board is authorized to conduct elections by secret ballot or to utilize any other appropriate method of ascertaining the name of the duly authorized employee representatives. The law specifies that any method employed by the Board must insure the choice of representatives by the employees without interference, influence, or coercion exercised by the carrier.

Of the 128 representation disputes disposed of during the year, 62 were settled by secret elections. Twelve of these elections were conducted exclusively by United States mail. In practically all elections it is necessary to send out some ballots by mail in order to afford voting opportunity to those eligible employees who are off work due to sickness, vacations, or other reasons and are thus unable to vote at the polling place. In general, ballot box elections are preferred, but elections are conducted entirely by mail where employees are too widely scattered, or where the employees involved might have difficulty in executing a mail ballot. The method is determined by the Board in each case after consideration of the circumstances.

Thirty-nine representation disputes were settled by validating signatures on authorization cards against signatures of employees as shown on carrier records such as canceled pay checks. This procedure is used in many cases where there is only one organization seeking representation of a group of employees. These 39 cases represent 30 percent of the total number of representation cases settled during 1950. The ratio for the 16-year period 1935-50 is 23 percent.

TABLE 2.—Number of cases disposed of, by type of case and method of disposition, fiscal years 1935-50

Type of case and method of disposition	Fiscal year ended June 30—						
	16-year period 1935-50	1950	1949	1948	3-year period 1945-47 (average)	5-year period 1940-44 (average)	5-year period 1935-39 (average)
Grand total.....	5, 656	362	449	464	522	347	220
Representation cases, total.....	2, 288	128	139	203	195	139	107
Certification based on—							
Elections.....	1, 338	62	75	113	126	74	68
Check of authorizations.....	518	39	34	50	34	38	21
Representation recognized.....	62	1	1	1	3	6	4
Closed without certification.....	38	0	2	7	3	2	1
Withdrawn after investigation.....	209	13	13	20	16	11	8
Withdrawn before investigation.....	38	3	6	7	4	4	2
Dismissal.....	85	11	10	10	5	3	4
Mediation cases, total.....	3, 368	234	309	259	326	206	112
Mediation agreements.....	1, 782	129	155	130	173	116	52
Arbitration agreements.....	129	14	9	18	17	6	2
Withdrawn after mediation.....	525	41	40	24	32	39	26
Withdrawn before mediation.....	336	11	11	13	34	22	18
Refusal to arbitrate by—							
Carriers.....	288	14	64	30	32	9	8
Employees.....	120	11	6	18	19	4	2
Both parties.....	160	12	19	24	17	9	2
Dismissal.....	28	2	5	2	2	1	2
Interpretation of mediation agreements.....	21	0	1	2	1	2	1

Of the remaining 27 representation cases disposed of during the year, 3 were withdrawn prior to a mediator's investigation and 13 were withdrawn after such an investigation. Withdrawals are usually made when investigation shows an insufficient number of employee authorizations to warrant an election under applicable rules and regulations. The applications in 11 cases were dismissed. A more detailed discussion of cases closed under these various designations may be found in chapter III.

As shown in table 2, a grand total of 2,288 representation cases have been disposed of by the Board since 1934 when the act was amended to provide for settlement of representation disputes. Of this number 1,856 or 81 percent, were closed by issuing certifications following elections or verifying signatures on employee authorization cards. In 62 additional cases carriers voluntarily recognized the applicant labor organizations as representing the employees without issuance of a certification. Thus collective bargaining representation has been established for a total of 804,934 employees, or 91 percent, of the total of employees involved in all representation disputes disposed of by the Board during the period 1934-50.

MEDIATION DISPUTES

The mediation functions of the National Mediation Board, which are its primary and most important duties under the Railway Labor Act, are described fully in section 5 of the law. Either the carrier or the representatives of the employees, or both of them jointly, may invoke the mediation services of the Board in connection with disputes concerning changes in rates of pay, rules, or working conditions which

are not adjusted by the parties in direct conference. The law also significantly provides that the Board's mediation services may be requested in any other dispute not referable to the National Railroad Adjustment Board, or where conferences are refused by either party. Also, the Mediation Board may proffer its mediation services in cases of labor emergencies, which in practice means instances where strikes are threatened by the employees. It will be seen that the field of disputes which may be made the subject of mediation is quite broad, and covers practically every character of a dispute which may arise between the carriers and their employees connected with wages, rules, and working conditions, except those which involve grievances and the interpretation or application of agreement rules, which are reserved for the jurisdiction of the National Railroad Adjustment Board under the provisions of section 3 of the act. In recent years, even this latter category of disputes has reached mediation by the creation of a labor emergency by strike dates being set by the employees on dockets of grievance cases. Time claims involved in such grievance dockets frequently involve several hundreds of thousands of dollars.

In the Board's previous annual reports, attention has been called to this practice and the dangers to the act which attend it. When the 1934 amendments to the law were passed, the Congress very clearly intended that the National Mediation Board be relieved of the duty of mediating grievances, a practice which had burdened its predecessor, the United States Board of Mediation, with an impossible task.

Over the years, under the present Railway Labor Act and the legislation which preceded it, it has been amply proved that agreements made between the parties, either voluntarily, or under the auspices of the Mediation Board, have been found to be the best basis for maintaining satisfactory labor relations between the carriers and their employees. Such agreements are made without compulsion, and customarily represent the result of compromise between the original positions of the parties at the beginning of the dispute. Many times, the mediators are able to suggest certain approaches which result in settlements without too great violence to the basic positions of the parties. It is the constant effort of the Board and its mediators to bring about voluntary settlements between the parties, and in this manner improve relationships between them with the view of eliminating or at least minimizing similar controversies in the future.

If, however, it is not found possible to come to an agreement on all matters in dispute through mediation, it then becomes the duty of the mediator to proffer arbitration. The alternative to the acceptance of arbitration is the possibility of strike threat action by the employees. Such action, of course, is not always taken. In the great majority of instances, matters remaining unsettled at the close of mediation can and should be arbitrated. This method is particularly useful in cases where one or the other of the contending parties may feel that for reasons important to them they could not agree voluntarily to a compromise settlement. Arbitration provides a definite and final means of settling difficult disputes, and many times the award serves as a precedent for handling similar matters in the future. Further, arbitration boards usually consist of practical men designated by the parties in addition to the neutral appointed by the Government. It

is an encouraging sign to note that fourteen arbitration agreements were made during the past fiscal year.

Not infrequently, settlements are made as the result of mediation efforts, but for various reasons are not formalized as mediation agreements. In such instances, the invoking party withdraws the application for mediation and the case is closed. In other instances, withdrawals are made when the disputes are settled before the commencement of mediation, or for the purpose of returning the questions at issue to direct negotiations.

During the fiscal year 1950, the total number of mediation cases disposed of by the various methods described above was 234.

During the fiscal year 1950, a total of 14 arbitration agreements were executed, or an increase of 5 over the preceding year. This is a step in the right direction, and the Board reiterates its comments in previous annual reports urging that greater use be made of the arbitration procedure in finally disposing of issues which cannot be settled in mediation. The total number of arbitration agreements made during the present Board's experience of 16 years is 129.

Constructive settlements of disputes through the three avenues of mediation agreement, arbitration agreement, and withdrawals during or after mediation totaled 179, or approximately 78 percent of the total number of cases disposed of during the year. This percentage, compared with similar performance of 66 percent in 1949, and the 16-year average of approximately 72 percent, indicates increased efficiency of the mediation process in disposing of applications for the Board's services under section 5 of the Railway Labor Act.

PROBLEMS IN MEDIATION

Probably the most serious problem confronting this Board in the handling of its mediation duties under the act is that of the concerted or national wage and rules movements on the part of the railroad labor organizations. These movements are customarily participated in by most of the nonoperating organizations acting as a unit, and the operating organizations acting either individually or in groups of two or three. These national movements have occurred at fairly regular intervals of approximately 2 years commencing in 1939. All of them have shown a pattern of similarity, consisting of a uniform and national demand on the individual carriers; a perfunctory handling on both sides at the local level; the creation of national or regional carriers' conference committees to meet the organizations on the national level; a breakdown of negotiations at this stage; mediation by the members of the National Mediation Board; inability to secure arbitration agreement; and finally, the setting of national strike dates and the consequent creation of emergency boards under section 10 of the act. In the earlier years, there were two settlements of national movements in mediation. Arbitration was agreed to by both sides in one instance. In all other cases, the disputes went before emergency boards.

As stated, mediation of these national wage and rules movements has in most cases proved unsuccessful. In fact, it has become customary for both carriers and organizations to prepare for the presentation of their cases to emergency boards while mediation is in progress.

While the law does not make it mandatory on either party to accept emergency board recommendations, it most certainly is the spirit and intent of the act that the mobilization of public opinion behind such recommendations will induce the parties to make them effective instruments of subsequent negotiations without carrying the controversy to further stages, possibly resulting in an actual work stoppage, which the entire machinery of the act is designed to prevent.

The Board feels that it is its duty to continue to emphasize the necessity for stricter compliance with the obligation laid upon both parties to a controversy by the law to exert every reasonable effort to make and maintain agreements concerning rates of pay, rules, and working conditions. We continue to be confronted with situations where an organization will make request upon a carrier for a complete revision of a working agreement, involving changes in a great many rules. Quite often the carrier will also make counter-proposals for many rules changes. In many of these instances, the direct negotiations between the parties fail to bring about settlement of a great many of the proposed rules changes and, as a consequence, mediation services are invoked on practically complete revisions of working agreements. It then becomes necessary for the parties to sit down and really negotiate, with the assistance of the mediator, upon a large number of items which should normally be settled in direct conferences prior to mediation. Such situations often require the services of a mediator for months.

The lack of thorough exploration and negotiation on the many issues in such cases has two results, both of which are not to the advantage of either the parties or this Board. First, a great deal of our mediator time is consumed in handling such cases during detailed negotiations which should have been completed before the application for mediation was made. Second, in many cases, after protracted mediation proceedings it is found necessary to proffer arbitration on a multitude of rules changes, which in some instances, have found their way before emergency boards, after strike dates have been set by the employees. This results in lengthy hearings before the emergency boards during which the positions of the respective parties are set forth in great detail. In one such instance recently the hearings extended for 6 weeks during which a transcript of 30 volumes, was made, consisting of 5,253 pages of testimony and 123 exhibits. In its report, this emergency board made the following comments:

From the beginning of the hearings, therefore, it was obvious that, aside from a small number of major issues, this is not the type of dispute that should be submitted for findings and recommendations to our emergency board necessarily composed of persons outside the industry and without long experience in the application of such intricate rules. Hence it was made clear to the parties in the course of the hearings that this board would not undertake the impossible task of writing for them a virtually complete agreement of this extensive and complicated character. Furthermore, a careful study of the record indicates that in the case of many highly technical rules the implications are frequently so obscure and far-reaching that even such merit as may be found in certain proposals or counter-proposals must be given effect, for the benefit of the parties themselves, only through the process of collective bargaining.

Most certainly, when the Railway Labor Act was passed in 1926, it was the feeling and intent of all concerned that section 10, under which emergency boards are created by the President, would be used only in major disputes which actually threatened an interruption in

interstate commerce. It was contemplated that lesser disputes, including revisions of working agreements, would be settled through the process of genuine collective bargaining, with the residue of unsettled issues left to be adjusted through the process of mediation and arbitration. Since the recommendations of emergency boards are not final and binding on either party, we find here a situation similar to the experience in recent years with emergency board recommendations on the national wage and rules cases. The recommendations become the basis for further bargaining between the parties as to their application. We cannot too strongly stress the need for a return to the practice of honest and sincere collective bargaining between the parties and the reduction of issues between them to a minimum before either side seeks mediation services, and the functioning of subsequent adjustment procedures under the act.

The Board feels that it must again mention jurisdictional problems between two or more labor organizations which have arisen during the past fiscal year. These questions take various forms, among which are the regulation of mileage made by engineers, establishment of promotion dates as engineers or conductors in train and engine service, questions of jurisdiction over certain work which involve two or more of the shop craft organizations, either among themselves or with organizations representing employees in other departments, and the recurring question of jurisdiction over teletype work on the rail carriers. These jurisdictional disputes usually come to the Board in the form of applications for mediation filed by one of the organizations involved. In one instance during the past year, an organization threatened strike action to force a rail carrier to give its members certain work being performed by employees represented by another organization. Reductions in the number of men employed in certain mechanical crafts due to dieselization and other technological improvements has sharpened competition between the various organizations for the remaining available work.

All of the above types of jurisdictional disputes are quite difficult, if not impossible, to settle in mediation except by agreements made between the organizations themselves, and with the concurrence of the carrier. The practice of taking certain of these disputes to the National Railroad Adjustment Board has only added confusion by the issuance of conflicting awards by the several divisions of that tribunal. While the Board is willing to, and has in the past exerted its best mediatory efforts toward settling disputes of this nature, it is again urged that greater use be made of the existing machinery for the settlement of jurisdictional disputes among the organizations themselves.

A tendency continues to be noticed among certain organizations, in both the rail and air industries, of attempting to bypass the mediation process by threatening strike action on demands for changes in rules and working conditions immediately after a breakdown in direct negotiations. Fortunately, this tendency is confined to a few organizations at this time. The primary effect of this procedure is to force immediate mediation either through an application for the Board's services from the carrier, or a proffer of mediation by this Board. The adverse effect of such actions on the part of a few organizations on the orderly handling of the Board's work is easily seen. Our force

of field mediators at the present time is ample to handle our current docket, and no delay would ensue in the handling of these disputes if the procedures of the act were properly followed. The Board therefore urges that all parties operating under the act observe its orderly processes by referring such disputes to it by application for mediation, which will insure that they will receive prompt and orderly handling of their controversies without the necessity for frequent resort to threats of strike action.

While considerable emphasis has been placed upon the actions of certain labor organizations in connection with problems with which we have been faced as the principal administrative agency of the act, our over-all concern also runs to the necessary part which the carriers must take in the maintenance of industrial peace. The necessity for thoroughness of negotiations, therefore, directs itself as strongly to the one side as to the other. The act was never intended as a vehicle for delaying negotiations or the ultimate disposition of disputes, but rather as an instrument to expedite the handling of such matters consistent with real negotiations at home and the subsequent procedures of the act.

The law further contemplates that those who are delegated to negotiate will be clothed with sufficient authority to make settlements. It was never intended that negotiations would be merely a perfunctory gesture but, unfortunately, the Board has found this to be the situation on both sides in a number of instances. Carrier representatives vested with sufficient authority could contribute materially to the strengthening of the negotiating features of the law.

3. CARRIERS INVOLVED IN DISPUTES

Table 3 indicates the distribution of the Board's services among the various classes of carriers. During the year, 127 class I carriers by railroad reported to the Interstate Commerce Commission. Approximately 97 percent of the Nation's railroad workers are employed on class I line haul and switching and terminal railroads. As would be expected it was on such carriers, rather than the smaller railroads, that most of the Board's services were utilized. Thus of the 127 class I carriers 124 or 98 percent were involved in disputes considered by the Board during the year.

It will also be noted that during 1950 the Board considered disputes involving employees of 29 different airlines.

4. MAJOR GROUPS OF EMPLOYEES INVOLVED IN CASES

Table 4 shows the number of cases settled during the year, classified according to the major groups of employees involved. As in previous years, train, engine, and yard-service employees accounted for the largest number of disputes among railroad workers. Other crafts or classes accounting for a large number of disputes are clerical, office, station and storehouse employees, and dining-car employees.

TABLE 3.—Number of different carriers involved in cases by classes with percentages, fiscal year 1950

Class of carriers	Total carriers		Different carriers involved in—							
			All cases		Representation cases		Mediation cases		Interpretation cases	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Class I railroads.....	1 127	100	124	98	35	28	121	95	—	—
Class II railroads.....	1 173	100	41	24	10	6	33	19	—	—
Class III railroads.....	1 175	100	7	4	1	(4)	6	3	—	—
Switching and terminal companies.....	1 252	100	79	31	24	9	66	26	—	—
Electric railroads.....	1 63	100	6	10	4	6	4	6	—	—
Miscellaneous carriers.....	(2)	(2)	5	(2)	2	(2)	5	(2)	—	—
Air carriers.....	1 35	100	29	83	17	49	23	66	—	—

¹ Carriers reporting to Interstate Commerce Commission during 1947.

² Not available.

³ Air carriers included in this list are: Air Cargo, Airline Transport Carriers, Air France, Alaska, All American Air, American, American Overseas Air, Braniff, Capital, Caribbean, Chicago Southern, Colonial, Continental, Delta, Eastern, Empire, Florida, Mid-Continent, Frontier, National, Northeast, Northwest, Panagra, Pan American Air, Piedmont, Pioneer, Slick, Southern, Trans Caribbean Air Cargo, Trans Texas, TWA, United, West Coast, Western, Wisconsin Central.

⁴ Less than 1 percent.

TABLE 4.—Number of cases disposed of by major group of employees, fiscal year 1950

Major groups of employees	Number of—			
	All types of cases	Representation cases	Mediation cases	Interpretation cases
Grand total, all groups of employees.....	362	128	234	0
Railroad—total.....	292	107	185	—
Combined groups, railroad.....	8	2	6	—
Train, engine, and yard service.....	127	24	103	—
Mechanical foremen.....	9	4	5	—
Maintenance of equipment.....	16	10	6	—
Clerical, office, station, and storehouse.....	23	12	11	—
Yardmasters.....	12	9	3	—
Maintenance of way and signal.....	18	10	8	—
Subordinate officials in maintenance of way.....	3	3	—	—
Agents, telegraphers, and towermen.....	8	2	6	—
Train dispatchers.....	11	4	7	—
Technical engineers, architects, draftsmen, etc.....	2	2	—	—
Dining-car employees, train and pullman porters.....	21	9	12	—
Patrolmen and special officers.....	7	4	3	—
Marine service.....	12	4	8	—
Miscellaneous railroad.....	15	8	7	—
Airline total.....	70	21	49	—
Combined airline.....	2	—	2	—
Mechanics.....	15	7	8	—
Radio and teletype operators.....	8	1	7	—
Clerical, office, stores, fleet and passenger service.....	7	2	5	—
Stewards, stewardesses, and flight persons.....	10	4	6	—
Pilots.....	6	1	5	—
Dispatchers.....	8	—	8	—
Mechanical foremen.....	2	1	1	—
Meteorologists.....	1	—	1	—
Flight engineers.....	4	1	3	—
Miscellaneous.....	7	4	3	—

While disputes among railroad workers constitute the major portion of the Board's work, the rapid growth of airline transportation since the end of World War II has been accompanied by a comparable growth in the number of labor disputes among employees of this industry. In 1950, airlines employees accounted for 70 disputes, whereas rail carriers accounted for 292 disputes or 81 percent of the total. It should be noted that in 1949 and 1950 there were less than one-half as many representation disputes as mediation cases on the airlines whereas in 1948 the number of each type of dispute was nearly equal. The proportion of airline cases to the total of all disputes has shown but little change during the past 2 years but compares with 10 percent in 1946 and 5 percent in 1945. The proportion of airline cases to the total of all disputes was 19 percent in 1950 as compared to 21 percent in each of the 2 previous years.

During the year 1950 there was a sharp decrease in the number of airline cases disposed of under the terms of the Railway Labor Act, the total being 69 in 1950 as compared to 95 cases in 1949.

The growth in the number of airline disputes disposed of by the Board since airline employees became subject to the act is as follows:

Fiscal year	Representation cases	Mediation cases	Total	Fiscal year	Representation cases	Mediation cases	Total
1938.....	1	2	3	1945.....	17	11	28
1939.....	1	4	5	1946.....	24	33	57
1940.....	2	4	6	1947.....	42	36	78
1941.....	1	5	6	1948.....	46	50	96
1942.....	1	5	6	1949.....	32	63	95
1943.....	2	5	7	1950.....	21	48	69
1944.....	8	3	11	Total.....	198	269	467

The decline in the number of airline representation disputes over the past 2 years reflects a material reduction in the amount of organizing activity among airline employees. Analysis of the 21 representation cases disposed of shows that 13 involving a total of 560 employees were cases in which employees were seeking to designate representatives for the first time. The remaining 8 cases involving 7,515 employees were instances in which representation rights had been previously established and the cases involved contests between two or more organizations for the right to represent the employees.

III. REPRESENTATION DISPUTES

1. ELECTIONS AND CERTIFICATION OF REPRESENTATIVES

The Board received and docketed 128 representation disputes during the fiscal year 1950. Adding this number to the 23 disputes pending at the beginning of the year makes a total of 151 representation cases requiring services of the Board. The same number of cases were disposed of as were docketed, which left the number of pending disputes unchanged as the year closed.

The number of representation cases docketed during 1950 was the smallest in any year since 1941. During and immediately following the war there was a sharp increase in the number of such disputes. A part of this increase, particularly since 1945, was due to extensive organizing activity among airline employees. By 1949, much of this organizing work had been completed. Moreover, there has been a notable decrease during recent years in the number of disputes between the standard train and engine service labor organizations for representation of railroad-operating employees. These factors have combined to effect a gradual reduction in the total of representation disputes referred to the Board for investigation.

The Board favors keeping its backlog of pending disputes low, for this permits assignment of mediators to newly docketed cases with minimum delay. The desirability of prompt investigation of representation disputes was recognized by the Congress by including in section 2, ninth, of the Railway Labor Act, provisions requiring the Board to investigate such disputes and issue certifications within 30 days after receipt of applications for service. Although the courts have held this requirement to be directory rather than mandatory,¹ the Board strives to investigate such disputes as promptly as practicable in the interest of promoting stable labor relations.

The 128 representation disputes docketed during 1950 is a reduction of 8 percent from the 139 cases docketed during the previous year and a decline of 33 percent from the average of 190 cases docketed annually during the 3-year period 1945-47.

In representation disputes disposed of, the total was 128 in 1950 as compared to 139 disposed of in 1949. The backlog of 23 pending representation disputes was the same as of June 30, 1950, as at the close of the fiscal years 1948 and 1949.

The Railway Labor Act requires that representation disputes be resolved by crafts or classes. Many docketed cases involve more than one craft or class and some involve as many as six or seven separate crafts or classes. Thus, the number of crafts or classes involved in representation disputes is generally greater than the number of cases settled. Table 5 shows a total of 154 crafts or classes in the 128 cases disposed of in 1950.

¹ District Court of the United States for the Eastern District of Virginia, Equity No. 329, *System Federation No. 40 v. Virginian Ry. Co.*, decided July 24, 1935.

While there was a decline in the number of representation cases settled in 1950 as compared to 1949, there was a sharp increase in the number of employees involved. Thus, the total representation cases settled in 1949 involved 34,911 employees as compared to 66,859 employees in the cases settled during 1950. Presented in proportions the number of cases declined 8 percent, while the number of employees involved increased nearly 92 percent. The sharp increase in the number of employees in cases settled during 1950 was due to a single representation dispute involving some 43,000 employees of the Pennsylvania Railroad.

In the final analysis the number of employees involved in representation cases more accurately measures the volume of this phase of the Board's work than the number of cases closed. A case involving 50 to 100 employees usually can be disposed of by a single mediator within a few days. On the other hand, the Pennsylvania Railroad case required the services of 3 mediators continuously for over 3 months and during the time of the election, 8 additional mediators were assigned to assist in the balloting which extended for approximately 30 days. A total of 592 mediator days were required in the investigation and settlement of this one case.

Of the 128 representation cases disposed of during 1950, certifications were issued in 101 cases involving 123 separate crafts or classes. Representation rights were thus determined under provisions of the act for a total of 61,537 employees. The remaining 27 cases were disposed of as follows: In 3 cases the applications were withdrawn prior to investigation by a mediator and in 13 cases the applications were withdrawn following a mediator's investigation. In 11 cases the applications were dismissed. Dismissals are made for various reasons. Five cases were dismissed when the results of elections showed less than a majority of the employees had cast valid ballots. Under the Board's rules a majority of eligible employees must cast valid ballots in representation cases before certifications are issued. In elections where less than a majority participates, the cases are dismissed without certification. In 2 cases it was determined that the applications covered only a part of an established craft or class. In view of the fact that the Board is not authorized to split an established craft or class under the act and when the applicant organizations declined to withdraw, there was no alternative but to dismiss the applications. In 4 cases investigation showed an insufficient number of valid authorization cards to warrant a representation election. In such cases the applicant organization is usually given an opportunity to withdraw. In these cases the suggestions to withdraw were declined and therefore the applications were dismissed.

During the fiscal year, 59,691 employees participated in cases where elections were conducted or authorizations were checked. This constitutes 89 percent of the employees involved in such cases. The percentage of employee participation has remained high throughout the years (76) the Railway Labor Act has been in effect and shows the high regard employees generally have for exercising their right to select collective-bargaining representatives by majority vote.

Table 5 shows for the 16-year period 1935-50 the number of representation cases, crafts or classes, employees involved, and participating in elections, subdivided by methods of disposition.

TABLES 5.—Number of cases, crafts or classes, and employees involved in representation disputes, by method of disposition, fiscal years 1935-50

Method of disposition	16-year period 1935-50	Number of cases						16-year period 1935-50	Number of crafts or classes					
		Fiscal year							Fiscal year					
		1950	1949	1948	Average for 3-year period 1945-47	Average for 5-year period 1940-44	Average for 5-year period 1935-39		1950	1949	1948	Average for 3-year period 1945-47	Average for 5-year period 1940-44	Average for 5-year period 1935-39
Total, all cases.....	2, 288	128	139	203	195	139	107	3, 226	154	167	225	236	179	215
Elections.....	1, 338	62	75	113	126	74	69	1, 975	77	90	125	155	101	142
Check of authorizations.....	518	39	34	50	34	38	21	715	46	43	57	39	49	42
Representation recognized.....	62	1	1	1	3	6	4	81	1	1	1	4	7	7
Withdrawn after investigation.....	209	13	13	20	15	11	8	233	15	16	20	19	11	13
Withdrawn before investigation.....	38	3	6	7	5	4	2	83	5	6	7	6	5	4
Dismissal.....	85	11	10	10	5	3	4	101	11	11	13	5	3	7
Closed without certification.....	38			2	7	3		38			2	8	3	

Method of disposition	16-year period 1935-50	Number of employees involved						16-year period 1935-50	Number of employees participating					
		Fiscal year							Fiscal year					
		1950	1949	1948	Average for 3-year period 1945-47	Average for 5-year period 1940-44	Average for 5-year period 1935-39		1950	1949	1948	Average for 3-year period 1945-47	Average for 5-year period 1940-44	Average for 5-year period 1935-39
Total, all cases.....	880, 976	66, 859	34, 911	37, 289	86, 407	31, 486	65, 053	663, 969	59, 691	28, 584	24, 704	63, 837	24, 241	47, 658
Elections.....	737, 248	60, 174	30, 643	28, 452	78, 273	25, 811	50, 815	633, 077	58, 597	27, 439	23, 098	62, 268	22, 786	44, 640
Check of authorizations.....	41, 584	1, 198	733	1, 764	1, 074	2, 254	4, 679	26, 910	941	583	1, 222	744	1, 350	3, 018
Representation recognized.....	26, 102		5	13	425	267	4, 695							
Withdrawn after investigation.....	38, 728	2, 746	2, 026	2, 062	3, 557	1, 709	2, 535							
Withdrawn before investigation.....	13, 476	292	300	3, 504	1, 123	1, 030	2, 172							
Dismissal.....	19, 622	2, 449	1, 204	1, 158	834	305	2, 157	996	153	562	281			
Closed without certification.....	4, 216			331	1, 121	110		2, 986			103	795	105	

2. MAJOR GROUPS OF EMPLOYEES INVOLVED IN REPRESENTATION DISPUTES

Table 6 summarizes representation disputes settled during the year according to major occupational groups. It is noted that separate totals are given in the table for train, engine, and yard service employees, whereas in previous years a single total was given for these combined groups. The total of 24 representation cases for such employees is an increase of 8 over the past year. This increase indicates an end to the era of relative peace which has existed for the past few years between the standard train and engine service organizations insofar as raiding activities are concerned.

Table 6 shows maintenance-of-equipment employees as accounting for the largest proportion of employees in representation cases. While it is not unusual for maintenance-of-equipment employees to bulk largest in the Board's representation cases, the total during the past year is sharply increased by reason of the Pennsylvania shop crafts election to which previous reference has been made.

TABLE 6.—*Number of crafts or classes and number of employees involved in representation cases, by major groups of employees, fiscal year 1950*

Major groups of employees	Number of cases	Number of crafts or classes	Employees involved	
			Number	Percent
Grand total, all groups of employees.....	128	154	66,859	100
Railroad, total.....	107	133	58,881	88
Train service.....	9	10	969	1
Engine service.....	10	12	759	1
Yard service.....	5	5	1,301	2
Mechanical foremen.....	4	4	101	(1)
Maintenance of equipment.....	10	24	48,093	72
Clerical, office, station, and storehouse.....	12	12	4,022	6
Yardmasters.....	9	9	357	1
Maintenance-of-way and signal.....	10	10	280	(1)
Subordinate officials, maintenance-of-way.....	3	3	149	(1)
Agents, telegraphers and towermen.....	2	2	11	(1)
Dispatchers.....	4	4	33	(1)
Technical engineers, architects, draftsmen, etc.....	2	2	253	(1)
Dining car employees, train and pullman porters.....	9	9	771	1
Patrolmen and special officers.....	4	4	286	(1)
Marine service.....	4	5	754	1
Combined groups, railroad.....	2	6	134	(1)
Miscellaneous railroad.....	8	12	608	1
Airline, total.....	21	21	7,978	12
Mechanics.....	7	7	4,900	7
Radio and teletype operators.....	1	1	10	(1)
Clerical, office, stores, fleet, and passenger service.....	2	2	2,032	3
Steward, stewardesses, and pursers.....	4	4	698	1
Dispatchers.....				
Pilots.....	1	1	74	(1)
Mechanical foremen.....	1	1	63	(1)
Flight engineers.....	1	1	131	(1)
Miscellaneous.....	4	4	70	(1)

¹ Less than 1 percent.

Generally in past years maintenance of equipment employees have accounted for the major portion of employees involved in representation disputes. However, over the years since 1934, such employees have been gradually won over to the international shop-craft organizations functioning through the Railway Employees' Department, A. F. of L. For some years these organizations have represented approxi-

mately 95 percent of the nations' railroad shop-craft employees. As a result there has been a rather steady decline in the proportion of representation disputes involving such employees to the total settled by the Board each year. The following tabulation shows the trend over the period 1938-50 in representation cases involving maintenance of equipment employees as compared to other representation cases. The totals for employees during the years 1946, 1947, and 1949, are abnormally large because in each of those years elections were conducted among shop-craft employees of the Pennsylvania Railroad.

Fiscal year	Cases		Crafts or classes		Employees	
	Number	Percent of total	Number	Percent of total	Number	Percent of total
1950-----	10	8	24	16	48,093	72
1949-----	13	9	19	11	7,907	23
1948-----	22	11	36	16	3,706	10
1947-----	16	9	37	17	65,924	67
1946-----	25	12	42	16	68,549	54
1945-----	35	18	52	22	4,566	13
1944-----	15	11	34	19	20,977	55
1943-----	28	15	60	26	6,867	22
1942-----	26	18	69	35	22,355	52
1941-----	33	26	66	38	16,000	60
1940-----	21	22	39	34	9,948	52
1939-----	28	33	86	57	55,604	84
1938-----	40	29	128	52	28,478	55

The relatively large number of representation disputes among airline employees during 1947 and 1948 declined notably in 1950. The 21 cases involving 7,987 airline employees during 1950 compares with 32 cases and 4,537 employees during the previous year. Of the seven cases involving airline mechanics, four were disputes involving mechanics on feeder lines who were endeavoring to designate representatives for the first time. The three remaining cases involving mechanics were disputes between contesting organizations for representation rights. The largest airline representation dispute of the year was in this category and involved a dispute among mechanics of Pan American Airways. This case involved 4,078 employees. Another large representation case involved some 1,950 clerical, office, stores, fleet, and passenger service employees of Northwest Airlines.

3. CERTIFICATIONS ISSUED

Table 7 presents a distribution, by types of labor organizations, of certifications issued by the Board during the fiscal year 1950. The table shows, as in the previous years, that the vast majority of employees prefer representation by national labor organizations rather than by local unions or system associations. During the year certifications were issued for 61,537 employees and of this number, more than 99 percent designated national labor organizations.

The table also shows that of the 61,537 employees for whom certifications were issued, representation was changed as a result of elections for 30 percent of the employees and remained unchanged for 68 percent. The table also shows that representation rights were acquired for only 2 percent of the employees covered by certifications issued during the year.

TABLE 7.—Number of crafts or classes certified and employees involved in representation cases by types of results, fiscal year 1950

Results	Total			Certifications issued to—								
				National organizations			Local unions			System associations		
	Crafts or classes	Employees involved		Crafts or classes	Employees involved		Crafts or classes	Employees involved		Crafts or classes	Employees involved	
		Number	Percent		Number	Percent		Number	Percent		Number	Percent
Grand total, 101 cases.....	123	61, 537	100	111	61, 115	99	10	360	1	2	62	(1)
Elections.....	76	60, 334	98	65	59, 922	97	9	350	1	2	62	(1)
Proved authorizations.....	47	1, 203	2	46	1, 193	2	1	10	(1)			
Representation acquired.....	59	1, 256	2	54	1, 148	2	5	108	(1)			
Elections.....	17	726	1	13	628	1	4	98	(1)			
Proved authorizations.....	42	530	1	41	520	1	1	10	(1)			
Representation changed.....	31	18, 669	30	29	18, 582	30	2	87	(1)			
Elections.....	26	17, 996	29	24	17, 909	29	2	87	(1)			
Proved authorizations.....	5	673	1	5	673	1						
Representation unchanged.....	33	41, 612	68	28	41, 385	68	3	165	(1)	2	62	(1)
Elections.....	33	41, 612	68	28	41, 385	68	3	165	(1)	2	62	(1)
Proved authorizations.....												

¹ Less than 1 percent.

4. EXTENT AND NATURE OF LABOR RERREPRESENTATION

Table 8 shows by organizations and crafts or classes the number and mileage of principal rail carriers whose employees were represented by various organizations as of June 30, 1950. The table also includes for comparative purposes the percentages, in previous years, of mileage of carriers on which employees were represented by organizations. The total mileage used in this table is derived by adding the mileages of carriers listed in table 12 on which table 8 is based.

TABLE 8.—*Number and mileage of principal carriers by railroad where employees are represented by various labor organizations, by crafts or classes, June 30, 1950*

Organization and craft or class	Extent of representation on June 30, 1950		Percent of total mileage covered on June 30—			
	Number of carriers	Mileage covered	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year period 1936-39 (average)
Total.....	136	230, 400				
Brotherhood of Locomotive Engineers:						
Locomotive engineers.....	117	223, 258	97	96	97	98
Locomotive firemen, hostlers, and hostler helpers.....	17	6, 864	3	(2)	(2)	(2)
Brotherhood of Locomotive Firemen and Enginemen:						
Locomotive firemen, hostlers and hostler helpers.....	130	229, 141	99	98	99	98
Locomotive engineers.....	2	361	(1)	3	2	1
United Mine Workers of America:				(2)		
Locomotive engineers.....				(2)		
Locomotive firemen, hostlers and hostler helpers.....				(2)		
Int'l Association of Railway Employees:						
Locomotive firemen, hostlers, and hostler helpers.....	2	571	(1)	(2)		
Railroad Industrial Union:						
Locomotive engineers.....	1	717	(1)	(2)		
Locomotive firemen, hostlers, and hostler helpers.....	1	717	(1)	(2)		
Order of Railway Conductors of America:						
Conductors (road).....	100	198, 751	86	85	95	
Brakemen, flagmen, baggagemen (road).....	6	710	(1)	(2)	(2)	(2)
Yard foremen, helpers, and switch-tenders.....	2	8, 406	3	4	4	4
Yardmasters.....	5	9, 422	4	4	6	5
Dining car stewards.....	1	8, 075	3	4	6	10
Dining car cooks.....	4	16, 881	7	7	8	6
Parlor and sleeping car conductors.....						
Brotherhood of Railroad Trainmen:						
Conductors (road).....	34	31, 614	14	15	7	2
Brakemen, flagmen, baggagemen (road).....	128	229, 108	99	99	99	99
Yard foremen, helpers, and switch-tenders.....	122	214, 599	93	89	92	92
Yardmasters.....	31	29, 132	13	11	13	7
Dining car stewards.....	44	167, 422	73	73	69	59
Dining car cooks and waiters.....	1	324	(1)	(2)	(2)	
Passenger representatives.....	1	5, 528	2	3		
Taproom attendants.....						
Motorcar operators.....	1			1		
Bus and/or truck drivers.....	1	4, 316	2	2		
Gate-men.....	1	8, 142	4	4		
Hump motorcar operators.....	1	9, 714	4	4		
Switchmen's Union of North America:						
Yard foremen, helpers, and switch-tenders.....	9	23, 772	10	11	9	10
Railroad Yardmasters of America:						
Yardmasters.....	39	146, 948	64	61	45	34
Stationmasters.....	2	8, 916	4	4	(2)	(2)
Portmasters.....	1	10, 671	5	5		
Railroad Yardmasters of North America:						
Yardmasters.....	4	11, 596	5	6	5	4
Stationmasters.....	2	10, 733	5	5	3	3

See footnotes at end of table

TABLE 8.—Number and mileage of principal carriers by railroad where employees are represented by various labor organizations, by crafts or classes, June 30, 1950—
Continued

Organization and craft or class	Extent of representation on June 30, 1950		Percent of total mileage covered on June 30—			
	Number of carriers	Mileage covered	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year period 1936-39 (average)
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express, and Station Employees:						
Clerical, office, station, and storehouse..	131	229,843	99	99	98	98
Redcaps, ushers, and station attendants..	3	19,339	8	4	—	—
Stationmasters.....	1	5,118	2	2	—	—
Grain-elevator employes.....	2	16,712	7	7	—	—
Coal pier foremen.....	1	5,118	2	—	—	—
Coal cranesmen.....	—	—	—	(?)	—	—
Coal dumper employes.....	1	573	(1)	(2)	—	—
Ore dock workers.....	3	13,088	6	6	—	—
Gatekeepers.....	1	9,714	4	4	—	—
Bus and/or truck drivers.....	1	7,577	3	3	—	—
Laundry workers and/or seamstresses.....	2	17,296	7	4	—	—
Hotel and restaurant employes.....	—	—	—	4	—	—
Telegraphers, towermen, and agents.....	2	250	(?)	(?)	(?)	(?)
United Transport Service Employees:						
Dining car cooks and waiters.....	7	33,327	14	14	2	—
Mails and chair-car attendants.....	1	4,770	2	2	—	—
Train, coach, parlor, sleeping, and club car porters.....	5	11,205	5	6	(?)	—
Taproom attendants.....	1	1,815	(1)	1	—	—
Red caps, ushers, and station attendants.....	12	63,902	28	33	27	12
The Order of Railroad Telegraphers:						
Telegraphers, towermen, and agents.....	127	229,381	99	99	99	98
Train dispatchers.....	4	2,833	1	1	3	2
Telegraph and telephone linemen.....	5	5,859	2	5	5	4
Brotherhood of Railroad Signalmen of America:						
Signalmen.....	101	220,118	96	95	91	87
Telegraph and telephone linemen.....	4	3,027	1	2	1	—
American Train Dispatchers Association:						
Train dispatchers.....	111	217,168	94	93	80	78
Boat dispatchers.....	2	14,874	6	6	—	—
Power dispatchers.....	2	2,260	1	(?)	—	—
Railway Employees' Department, A. F. of L.:						
Supervisors of mechanics.....	7	14,702	6	91	3	—
Molders.....	1	6,202	2	3	—	—
Laundry workers and/or seamstresses.....	1	8,142	4	4	—	—
Motorcar repairmen.....	1	1,195	(1)	(?)	—	—
Brotherhood of Maintenance of Way Employees:						
Maintenance-of-way employees.....	131	215,030	93	94	94	92
Shop laborers.....	—	—	—	2	3	3
Stockyard employees.....	1	8,873	4	4	—	—
Coal pier operators.....	1	969	(1)	(?)	—	—
Drawbridge operators.....	2	3,392	1	2	—	—
Foremen in electric traction department.....	1	9,714	4	4	—	—
Crossing tenders.....	1	981	(1)	(?)	—	—
Hoisting engineers.....	1	4,645	2	2	—	—
Hump motorcar operators.....	1	5,118	2	—	—	—
Water service employees.....	1	7,139	3	—	—	—
International Association of Machinists:						
Machinists.....	128	228,405	99	94	87	81
International Brotherhood of Boilermakers, Iron Ship Builders, and Helpers of America:						
Boilermakers.....	126	218,308	95	94	87	76
International Brotherhood of Blacksmiths, Drop Forgers, and Helpers:						
Blacksmiths.....	124	221,473	96	89	81	77
Sheet Metal Workers International Association:						
Sheet metal workers.....	125	228,047	99	94	87	76
Molders.....	2	8,435	4	4	—	—
Foundry employees.....	1	10,671	5	5	—	—
Water service employees.....	1	2,393	1	4	—	—

See footnote at end of table.

TABLE 8.—Number and mileage of principal carriers by railroad where employees are represented by various labor organizations, by crafts or classes, June 30, 1950—Continued

Organization and craft or class	Extent of representation on June 30, 1950		Percent of total mileage covered on June 30—			
	Number of carriers	Mileage covered	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year period 1936-39 (average)
International Brotherhood of Electrical Workers:						
Electrical workers.....	119	215,820	94	93	87	79
Telegraph and telephone linemen.....	25	110,413	48	40	33	—
Signalmen.....	4	1,996	(1)	1	1	1
Coal pier operators.....	3	6,188	3	3	—	—
Coal dumper employees.....	1	5,118	2	2	—	—
Substation operators.....	1	10,671	5	5	—	—
Brotherhood Railway Carmen of America:						
Carmen.....	129	219,024	95	94	87	78
International Brotherhood of Firemen, Oilers, Helpers, Roundhouse, and Railway Shop Laborers:						
Powerhouse employees and railway shop laborers.....	123	218,053	95	94	87	71
Hotel and Restaurant Employees International Alliance and Bartenders Union:						
Cooks and waiters.....	48	142,674	62	65	71	58
Coach, sleeping car, parlor car, and club car porters.....	8	40,700	18	15	9	—
Hotel and restaurant employees.....	4	32,076	14	5	—	—
Bartenders.....	3	25,936	11	10	—	—
Maids and chair car attendants.....	1	571	(1)	—	—	—
Platform vendor service employees.....	1	6,543	3	3	—	—
American Railway Supervisors Association:						
Yardmasters.....	4	10,892	5	5	4	4
Supervisors of mechanics.....	24	82,351	35	31	17	6
Wire chiefs.....	1	8,075	4	4	—	—
Stationmasters.....	1	8,075	4	4	—	—
Roadmasters.....	2	9,873	4	3	—	—
Technical employees.....	6	24,732	11	2	—	—
Subordinate officials in maintenance of way and structures department.....	6	20,948	9	6	—	—
Brotherhood of Sleeping Car Porters:						
Coach, sleeping car, parlor car, and club car porters.....	29	113,093	49	45	31	10
Maids and chair car attendants.....	3	21,740	9	8	—	—
Porter brakemen.....	1	12,073	6	5	—	—
National Council Railway Patrolmen's Union, A. F. L.:						
Railway patrolmen.....	37	108,286	47	46	17	—
Utility Workers Organizing Committee:						
Machinists.....	1	97	(1)	(2)	(2)	—
Boilermakers.....	1	97	(1)	(2)	(2)	—
Blacksmiths.....	—	—	—	—	—	—
Sheet metal workers.....	—	—	—	—	—	—
Electrical workers.....	—	—	—	—	—	—
Carmen.....	—	—	—	—	—	—
Powerhouse employees and railway shop laborers.....	1	97	(1)	(2)	(2)	—
Brotherhood of Railroad Shop Crafts of America:						
Machinists.....	—	—	—	4	3 4	—
Boilermakers.....	—	—	—	—	3 4	—
Blacksmiths.....	—	—	—	5	3 7	—
Sheet metal workers.....	—	—	—	(2)	2 4	—
Electrical workers.....	1	981	(1)	(2)	3 4	—
Carmen.....	—	—	—	(2)	3 4	—
Bricklayers.....	1	9,714	4	4	—	—
Powerhouse employees and railway shop laborers.....	—	—	—	—	3 4	—
Int'l Federation of Technical Engineers, Architects, and Draftsmen's Unions, A. F. L.:						
Technical engineers, architects, draftsmen, and allied workers.....	2	6,357	3	3	—	—
International Union of Steam and Operating Engineers:						
Hoisting and portable engineers in stores department.....	1	1,712	(1)	1	—	—
Hoisting engineers.....	3	15,625	7	4	—	—
Grain-elevator employees.....	—	—	—	3	—	—

See footnotes at end of table.

TABLE 8.—Number and mileage of principal carriers by railroad where employees are represented by various labor organizations, by crafts or classes, June 30, 1950—Continued

Organization and craft or class	Extent of representation on June 30, 1950		Percent of total mileage covered on June 30—			
	Number of carriers	Mileage covered	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year period 1936-39 (average)
International Longshoremen's Association:						
Wharf freight handlers.....	1	172	(1)	(2)	-----	-----
Grain elevator employees.....	1	172	(1)	(2)	-----	-----
Coal dumper employees.....	3	1, 633	(1)	(2)	-----	-----
Coal pier operators.....	-----	-----	-----	2	-----	-----
International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers:						
Bus and truck drivers.....	1	8, 317	4	4	-----	-----
American Brotherhood of Railway Police:						
Patrolmen.....	1	6, 631	3	3	-----	-----
United Railroad Workers of America (IUMSWA):						
Boilermakers.....	1	9, 719	4	4	-----	-----
Blacksmiths.....	1	1, 252	(1)	2	-----	-----
Sheet metal workers.....	-----	-----	-----	4	-----	-----
Powerhouse employees and railway shop laborers.....	1	9, 714	4	4	-----	-----
Molders.....	1	9, 714	4	6	-----	-----
Maintenance of way employees.....	1	13, 073	6	-----	-----	-----
International Longshoremen and Warehousemen's Unions, CIO:						
Coal dumper employees.....	1	659	(1)	(1)	-----	-----
Amalgamated Association Street, Electric Railway and Motor Coach Employees of America, A. F. L.:						
Bus and/or truck drivers.....	1	596	(1)	(1)	-----	-----
System associations:						
Locomotive engineers.....	-----	-----	-----	-----	1	1
Locomotive firemen, hostlers and hostler helpers.....	-----	-----	-----	-----	1	1
Yardmasters.....	3	8, 344	4	5	6	6
Clerical, office, station and storehouse. Telegraphers, towermen and agents.....	-----	-----	-----	-----	1	5
Dispatchers.....	2	7, 116	3	3	11	11
Maintenance of way employees.....	-----	-----	-----	-----	6	8
Machinists.....	3	1, 229	(1)	(1)	11	19
Boilermakers.....	4	1, 394	(1)	1	12	23
Blacksmiths.....	3	1, 284	(1)	2	17	23
Sheet metal workers.....	3	1, 284	(1)	(1)	11	22
Electrical workers.....	4	1, 897	(1)	1	11	23
Carmen.....	4	1, 394	(1)	1	11	22
Powerhouse employees and railway shop laborers.....	1	165	(1)	(1)	10	22
Dining car stewards.....	2	1, 712	(1)	2	3	4
Cooks and waiters.....	1	573	(1)	1	9	15
Coach, sleeping car, parlor car, and club car porters.....	-----	-----	-----	-----	6	14
Supervisors of mechanics.....	9	46, 737	20	22	16	17
Railway patrolmen.....	6	15, 801	7	6	4	-----
Stationmasters.....	2	10, 080	5	4	-----	-----
Foundry employees.....	1	7, 577	3	3	-----	-----
Printer.....	1	6, 202	3	3	-----	-----
Wire chief.....	1	212	(1)	(1)	-----	-----
Coal dumper employees.....	-----	-----	-----	-----	-----	-----
Technical engineers, architects, draftsmen, and allied workers.....	8	14, 563	6	6	-----	-----
Nurses.....	1	8, 142	4	-----	-----	-----
Drawbridge operators.....	1	50	(1)	-----	-----	-----
Subordinate officials in maintenance of way and structures department.....	4	18, 583	8	8	4	4
Foremen in electric traction department.....	1	366	(1)	(1)	-----	-----
Telephone and telegraph linemen.....	1	212	(1)	-----	-----	-----

See footnotes at end of table.

TABLE 8.—Number and mileage of principal carriers by railroad where employees are represented by various labor organizations, by crafts or classes, June 30, 1950—Continued

Organization and craft or class	Extent of representation on June 30, 1950		Percent of total mileage covered on June 30—			
	Number of carriers	Mileage covered	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year period 1936-39 (average)
Local unions:						
Firemen and hostlers.....	1	106	(¹)	(²)	1	2
Brakemen, flagmen, and baggagemen.....	3	1,656	(¹)	(²)	(²)	(²)
Yard foremen, helpers, and switch-tenders.....	3	1,656	(¹)	(²)	(²)	(²)
Cooks and waiters.....	4	13,163	6	6	5	-----
Coach, parlor car, club car, and sleeping car porters.....	2	6,747	3	3	8	-----
Supervisors of mechanics.....	2	1,627	(¹)	(²)	1	-----
Technical engineers, architects, drafts-men, and allied workers.....	1	1,480	(¹)	1	-----	-----
Wharf freight handlers.....	1	6,631	3	3	-----	-----
Car riders.....	1	659	(¹)	(²)	-----	-----
Subordinate officials in maintenance of way and structures department.....	3	9,814	4	4	-----	-----

¹ Less than 1 percent.

² Less than ½ of 1 percent.

³ For fiscal year ended June 30, 1944 only.

⁴ For 3-year period only—1942, 1943 and 1944.

Table 8A shows comparable information for marine and related employees of rail carriers included in table 8. Since the rail mileage of these carriers bears no relation to their marine operation it is omitted from this section of the table.

TABLE 8A.—Representation of marine department and related miscellaneous groups of employees, by organization and crafts or classes, June 30, 1950

Organization and craft or class	Number of railroads as of June 30—			
	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year ¹ period 1936-39 (average)
National Organization Masters, Mates, and Pilots:				
Licensed deck.....	20	22	23	23
Unlicensed deck.....	9	9	8	3
Float watchmen.....	5	4	3	-----
National Marine Engineers' Beneficial Association:				
Licensed engine.....	16	17	20	18
Unlicensed engine.....	-----	-----	2	1
Seafarers' International Union of North America:				
Unlicensed deck.....	-----	-----	2	6
Unlicensed engine.....	1	1	4	5
Marine cooks and stewards.....	-----	1	2	4
International Longshoremen's Association:				
Licensed deck.....	2	2	4	9
Licensed engine.....	2	2	3	16
Unlicensed deck.....	1	1	6	15
Unlicensed engine.....	2	1	6	16
Coal dumper employees.....	-----	-----	-----	-----
Lighter captains.....	6	6	-----	-----
Float watchmen.....	1	1	3	1
Longshoremen.....	2	2	-----	-----
Marine shop employees.....	1	1	-----	-----
Holsting engineers.....	1	1	-----	-----
Grain boat captains.....	1	-----	-----	-----
National Maritime Union:				
Unlicensed deck.....	5	5	1	-----
Unlicensed engine.....	5	5	1	-----
Marine cooks and stewards.....	3	3	-----	-----
Float watchmen.....	-----	-----	-----	-----
Grain elevator employees.....	1	1	-----	-----

See footnotes at end of table.

TABLE 8A.—Representation of marine department and related miscellaneous groups of employees, by organization and crafts or calsses, June 30, 1950—Continued

Organization and craft or class	Number of railroads as of June 30—			
	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year ¹ period 1936-39 (average)
United Mine Workers, District 50:				
Licensed deck.....	3	3		
Licensed engine.....				
Unlicensed deck.....				
Unlicensed engine.....				
Float watchmen.....				
International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers:				
Unlicensed deck.....	1		1	
Unlicensed engine.....	1	1	1	
United Railroad Workers of America, CIO:				
Licensed deck.....	1	1		
Licensed engine.....	5	3		
Unlicensed deck.....	5	5		
Unlicensed engine.....	6	5		
Lighter captains.....	1	1		
Boat dispatchers.....	1	1		
Foremen's Association of America:				
Licensed deck.....	2	2		
Licensed engine.....	4	2		
Order of Railroad Telegraphers:				
Purser-radio operators.....	1	1		
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express, and Station Em- ployees:				
Pursers and assistants.....	1	1		
Inlandboatmen's Union of the Pacific:				
Unlicensed deck.....	1	1		
Unlicensed engine.....	1	1		
Utility Workers Organizing Committee:				
Marine shop employees.....				
International Association of Railway Employees:				
Unlicensed deck.....	1	1		
Unlicensed engine.....	1	1		
Hotel and Restaurant Employees and Bartenders International Alliance:				
Marine chefs, cooks, and waiters.....	1	1		
System Associations:				
Licensed deck.....	1	1	2	3
Licensed engine.....	1	1	2	6
Unlicensed deck.....	1	1	1	1
Unlicensed engine.....	2	2	1	2
Coal dumper employees.....			1	
Local unions:				
Licensed deck.....			2	
Licensed engine.....			1	
Unlicensed deck.....	3	3	6	
Unlicensed engine.....	3	3	9	
Marine cooks and stewards.....	1	1	2	

¹ Figures not available for fiscal year ended June 30, 1935.

² For fiscal years ended June 30, 1938, and 1939 only.

³ For fiscal years ended June 30, 1937, 1938, and 1939 only.

⁴ For fiscal year ended June 30, 1944 only.

IV. MEDIATION DISPUTES

During the fiscal year 1950, the total number of mediation cases disposed of was 234 or a decrease of 75 cases under the previous year. A total of 266 mediation cases were docketed during the year 1950, this figure also being a decrease of 2 cases under the number docketed in the fiscal year 1949. The 266 cases docketed during the past fiscal year was the smallest number added to the docket since the fiscal year 1947, and was a decrease of 20 cases under the 5-year average for the fiscal years 1945 to 1949, both inclusive. The lower number of cases docketed in the year 1950 is attributed to the fact that the nonoperating rail labor organizations were still engaged for a considerable part of the year in working out the interpretation and application of various rules in the March 19, 1949, 40-hour week agreement to specific situations on different railroads. Also, the operating brotherhoods, particularly the Order of Railway Conductors and the Brotherhood of Railroad Trainmen, were engaged for the major part of the fiscal year in progressing their national wage and rules movement through the various steps of direct negotiations, mediation, and before a Presidential Emergency Board. The Railroad Yardmasters of America and the Switchmen's Union of North America are also progressing their demands for a 40-hour week through the same steps under the law during this period. More of those wage and rules movements had reached final settlements by the end of the fiscal year 1950.

As of June 30, 1950, there were 102 mediation cases remaining open and unsettled on the Board's open docket, as compared with 70 on this date at the end of the previous fiscal year. Included in these 102 open cases were 13 involving the question of operation of teletype machines, a jurisdictional dispute between the clerks and the telegraphers, which the Board proposes to give concurrent handling. There were also 11 cases covering disputes between the American Train Dispatchers Association and various rail carriers on the subject of the Association request that such carriers adopt the so-called National Agreement of May 27, 1937. It was the Board's purpose to give this series of cases concurrent mediation at a later date.

1. MEDIATION AND ARBITRATION AGREEMENTS

As previously stated in chapter II of this report, a grand total of 179 mediation cases were settled and disposed of by the execution of mediation agreements, arbitration agreements, and withdrawals made by the parties either during or after mediation proceedings. These four methods of disposition accounted for 78 percent of the total of 266 mediation cases closed during the fiscal year. A total of 14 docketed mediation cases were referred to emergency boards created under section 10 of the Railway Labor Act during 1950, after arbitration had been declined by one or both of the parties, and strike dates were set which threatened serious interruption to interstate commerce.

During the present Board's life of 16 years, since the passage of the 1934 amendments to the act, mediation agreements have accounted for about 52.8 percent of the total number of mediation cases disposed of. This percentage during the fiscal year 1950 was 54.3, or an increase of 4.3 percent over the fiscal year 1949.

Since commencement of the Board's operations in 1934, changes in working agreement rules and requested increases in rates of pay have been the two principal subjects of mediation cases handled by the Board and its field staff. The negotiation of initial working agreements is now almost at an end in the railroad industry, as the result of practically complete representation having been established by various labor organizations since the passage of the 1934 amendments. During the past several years, the number of complete revisions of individual working agreements on the rail carriers has greatly diminished, since the trend now is toward major rules revisions through the medium of national wage and rules movements. As mentioned later, this situation does not yet exist on the air carriers. Table 9 shows the division of mediation cases handled and disposed of among the four principal categories into which mediation cases are roughly divided.

TABLE 9.—*Issues involved in cases disposed of by mediation agreements, fiscal years 1935-50*

Issues involved	16-year period	1950	1949	Average for 4-year period, 1945-48	Average for 5-year period, 1940-41	Average for 5-year period, 1935-39
Total, all cases.....	1,800	129	159	165	117	54
Negotiation of new agreements, etc.....	221	9	24	14	15	12
Changes in rates of pay.....	572	29	20	51	50	14
Changes and revisions in rules, etc.....	901	71	100	94	46	25
Miscellaneous cases.....	106	20	15	6	6	3

During the fiscal year 1950, arbitration agreements were executed disposing of 14 docketed cases. In addition, 7 private arbitrations were held under the provisions of section 7 of the act following arbitration agreements made directly between the parties without benefit of docketing or previous mediation.

2. OTHER DISPOSITION OF MEDIATION CASES

In addition to the 179 mediation cases settled by mediation and arbitration agreements and withdrawals, 50 additional mediation cases were disposed of by other methods. Of this number, 37 cases were closed after one or both parties had declined to submit the dispute to arbitration. Eleven other cases were withdrawn by the parties prior to mediation. Two cases were dismissed by action of the Board.

Of the 37 instances in which proffers of arbitration were declined, this action was taken by the carriers in 14 cases, and by the employees in 11. Twelve cases were closed in this manner after arbitration had been declined by both parties to the dispute.

3. AIRLINE MEDIATION CASES

During the fiscal year 1950, the Board handled and disposed of a total of 49 cases involving the commercial airlines and various groups of their employees. This figure is a decrease of 14 cases under the total of 63 airline cases settled during the previous fiscal year. It also represents approximately 21 percent of the total of 234 mediation cases disposed of during the year. These 49 cases, however, together with 21 representation disputes involving airline employees, con-

sumed approximately 28 percent of the total mediator days spent on mediation and representation cases during the past fiscal year; a rather large proportion when it is recalled that the commercial airlines employ only about 6 percent of the total number of persons coming under the jurisdiction of the Railway Labor Act.

As mentioned in our report last year, an important reason for the large amount of time spent in handling airline mediation cases is the prevailing practice of making agreements for a period of 1 year, and continuing thereafter unchanged from year to year unless either side presents changes within a 30-day period prior to the anniversary date of the agreement. This practice is in contrast with the usual method on rail carriers of making agreements subject to reopening on 30 days notice. While the practice on the airlines provides a short period of rate and rule stability, it also results in the carriers receiving yearly demands for wage increases and many rules changes. As in the case of the rail carriers, these general schedule revision disputes often come to the Board for mediation with a great many issues unresolved, which has resulted in protracted mediation being required in many instances, and has brought about the situation described in the preceding paragraph.

During the past year, a considerable number of disputes involved the question of severance pay, which has become quite important in several categories of airline operation, due to technological improvements, particularly in the handling of communications work. The number of representation cases among airline employees again decreased in the fiscal year 1950, as representation became more complete on the commercial airlines.

During the fiscal year 1950, airline representation cases numbered 21, as compared with 32 in the year 1949, and 46 in 1948. Airline mediation cases fell from 63 in 1949 to 49 in 1950. The grand total of airline mediation cases disposed of from 1936 to June 30, 1950 was 273.

In times of national emergency the Government utilizes the services of the commercial airlines in many ways and particularly in overseas transportation of personnel and materials. In World War II a major dispute arose between airlines and their pilots as to wages and working conditions in the overseas service and agreements were subsequently entered into. During the past fiscal year the Board has received applications for its services involving a similar question in connection with the Korean airlift. The airline pilots have been seeking a new principle of mileage payment in lieu of hourage payment. Several such disputes have been submitted to the National Mediation Board. This represents perhaps the most far-reaching fundamental change in the basis of compensation which the pilots have sought since the commercial airlines were placed under the coverage of the Railway Labor Act.

The general practice which has been followed by the airlines and labor organization representatives has been to make agreements to run for a specified period. Under the provisions of section 6 of the Railway Labor Act changes in agreements which are sought are subject to 30 days advance notice, in compliance with the procedure provisions of the act thereafter. It is, therefore, contemplated that agreements remain in effect subject to the procedures prescribed therein. The experience of this Board has been that disputes arise less frequently when there is no definite termination clause.

V. ARBITRATION AND EMERGENCY BOARDS

1. ARBITRATION BOARDS

In disputes where the National Mediation Board or its representatives are unable to effect a settlement through mediation, the Board's next duty under the Railway Labor Act is to use its best efforts to induce the parties to submit their controversies to arbitration under the provisions of section 7 of the act. While there is no compulsion on either party to agree to arbitrate, the Mediation Board emphasizes the spirit and intent of the law to settle disputes peaceably. The Board does not consider the proffer of arbitration as a perfunctory action, and its efforts to induce the parties to submit their differences to arbitration are equally as intensive as those made in attempting to secure settlement by mediation. Arbitration under the act has the additional advantage of providing a definite and legally enforceable decision under which both parties to a dispute may operate in the future.

There were 20 arbitration agreements entered into during the current fiscal year, 14 of which were from cases that were handled in mediation and 6 arbitration agreements otherwise entered into between the parties. Awards were made in all but six of these cases. Summarized below are 17 arbitration cases disposed of during this year, 3 of which were on cases covered by arbitration agreements entered into in prior year. Also included in the summary is one case in which an extension of time for making the award had been stipulated.¹

CASE A-2864, ARB. 110.—*The Pennsylvania Railroad Co. and Baltimore and Eastern Railroad Co. and Brotherhood of Railroad Signalmen of America*

*Members of the Arbitration Board were W. G. Salmonson, representing the carriers; Jesse Clark, Grand President of the Brotherhood, representing the organization; and David L. Cole, of Paterson, N. J., who was selected as the neutral arbitrator by the party representatives. Mr. Cole was designated as chairman.

The agreement to arbitrate, dated August 23, 1948, originally included the Long Island Rail Road Company in addition to the two carriers listed above, but by mutual agreement between all parties dated November 4, 1949, the Long Island Rail Road Company withdrew prior to the arbitration proceedings.

Hearings were held in Philadelphia, Pa., beginning Nov. 21, 1949, and the award was made on May 5, 1950, an extension of time having been stipulated by the parties. The questions to be arbitrated involved revision of numerous articles of the current rules agreement, relating to scope rule; abolishing the use of camp cars; handling of grievances, money claims and appeals; expense accounts; seniority, promotions, vacancies, etc.; wage rates; pay differentials of lead mechanics; elimination of unit value system of pay for maintainers; and several other issues.

The organization representative dissented from the award in connection with three of the issues.

¹ For information on neutral arbitrators appointed by the Board during 1950 see Appendix B.

CASE A-3031, ARB. 121.—*Northwest Airlines, Inc. and Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.*

Members of the Arbitration Board were Messrs. E. I. Whyatt and H. R. Lyons representing, respectively, the company and the organization, and Mr. Wm. M. Leiserson, who was selected as the neutral arbitrator by the party representatives. Mr. Leiserson was designated as chairman.

Hearings were held in St. Paul, Minn., beginning July 8, 1949, and the board rendered its award on July 29, 1949. The question submitted for decision, pursuant to arbitration agreement dated April 26, 1949, involved a requested increase of \$43.33 per month for approximately 525 reservation agents and supervisors and transportation agents. The award provided for an increase of \$18.14 per month for all employees involved, retroactive to November 1, 1948. The company arbitrator dissented from the award.

ARB. 122.—*Pan American Airways, Inc. and Transport Workers Union of America.*

Members of the Arbitration Board were Mr. W. O. Snyder, representing Pan American Airways, Inc.; Mr. A. W. Smith, Jr., representing the Transport Workers Union of America; and Mr. Alfred Giardino who was named by the National Mediation Board as the third arbitrator, the party arbitrators being unable to agree upon the neutral arbitrator. Mr. Giardino was elected by the Arbitration Board as chairman.

Hearings were held in Long Island City, N. Y., commencing June 23, 1949. The question for decision involved a request for full pay to employees while away from work for reason of occupational illness or injury providing that all benefits due the employee under workmen's compensation law shall be refunded to the company.

The award, dated July 5, 1949, provided for payment of regular pay for such disabled employees for the first 7 days; 80 percent of the normal wage for an additional 30 days, with workmen's compensation benefits for temporary total disability to be refunded to the employer. The award further provided partial payments to be received by the employee at the conclusion of the above stated periods, to the maximum of his accrued sick leave.

CASE A-3155, ARB. 123.—*Pittsburgh & Lake Erie Railroad Co. and The Lake Erie & Eastern Railroad Co. and Industrial Union of Marine and Shipbuilding Workers of America—CIO*

Members of the Arbitration Board were Mr. H. R. Richardson, representing the carriers; Mr. William H. Emergy, representing the organization; and Mr. John M. Carmody who was selected by the party arbitrators as the neutral arbitrator. Mr. Carmody was designated as chairman.

Hearings were held in Pittsburgh, Pa., beginning August 4, 1949. The question submitted to arbitration involved the consolidation of rosters in connection with the closing of a certain shop and transferring of the work of that shop to another car shop.

The award was dated August 10, 1949, and provided that the forces at both shops should be placed on a consolidated roster in accordance with their present seniority dates.

CASE A-3170, ARB. 124.—*Pan American Airways, Inc. and International Association of Machinists*

Members of the Arbitration Board were Mr. W. O. Snyder of Florida, representing the carrier; Mr. Frank Heisler of the District of Columbia, representing the organization; and Mr. William Howard Payne of the District of Columbia, who was named by the National Mediation Board to serve as the third arbitrator, the party arbitrators being unable to agree upon the neutral arbitrator. Mr. Payne was designated to serve as chairman.

Hearings were held in Long Island City, N. Y., beginning October 25, 1949, and the award was dated November 8, 1949. The issue in this case involved increase in wage rates for stock clerk employees, and the board concluded in its award that a wage increase of 5 cents an hour was justified.

CASE A-3160, ARB. 125.—*American Overseas Airlines, Inc. and Flight Engineers International Association (American Overseas Airlines Chapter).*

Members of the Arbitration Board were Mr. Emil Jarz of New York City, representing the carrier; Mr. Bernard Cushman of Washington, D. C., representing the organization; and Mr. Whitley P. McCoy of the University of Alabama, selected by the party arbitrators as the third arbitrator. Mr. McCoy was designated as chairman.

Hearings were held in New York City beginning October 19, 1949, and the award was dated October 29, 1949. The question submitted for arbitration was the demand of the organization for wage increases for flight engineers and assistant flight engineers. The award provided for wage increases in varying amounts for flight engineers and assistant flight engineers when serving on planes heavier than 72,000 lbs. gross weight, for period June 1, 1949, through November 30, 1949; and additional increases for period December 1, 1949, through May 31, 1950.

CASE A-3162, ARB. 126.—*Pan American Airways, Inc. and Air Line Dispatchers Association.*

Members of the Arbitration Board were Mr. W. O. Snyder, representing the company; Mr. John E. Frost, representing the organization; and Mr. John A. Lapp of Chicago, who was chosen by the party arbitrators as the third member of the board. Mr. Lapp was designated as chairman.

Hearings were held in Long Island City commencing November 9, 1949. The award was dated December 9, 1949. The dispute involved monthly rates of pay for junior aircraft dispatchers and aircraft dispatchers, and the award provided certain upward adjustments in the wage scale for all classifications of employees involved. The employee arbitrator dissented from the award, stating that it was inadequate.

ARB. 127.—*Central Railroad Co. of New Jersey, Central Railroad Co. of Pennsylvania, and the Brotherhood of Railroad Trainmen*

Members of the Arbitration Board were Mr. J. J. Duffy, representing the carriers; Mr. H. R. Woltman, representing the organization; and Mr. Frank M. Swacker of New York City, who was chosen by the party arbitrators as the third member of the board. Mr. Swacker was designated as chairman.

Hearings were held in Jersey City, N. J., beginning October 17, 1949. This dispute involved a number of grievance cases which would ordinarily have been referred to the National Railroad Adjustment Board. The award, dated November 25, 1949, listed, by number, 66 claims sustained in whole or in part; 137 claims denied; and 27 claims settled and withdrawn during the hearings.

CASE A-3180, ARB. 128.—*Pan American Airways, Inc. and Transport Workers Union of America*

Members of the Arbitration Board were Mr. W. O. Snyder, representing the carrier; Mr. James F. Horst, representing the organization; and Mr. Alfred Giardino who was named by the National Mediation Board as the third arbitrator, the party arbitrators being unable to agree upon the neutral arbitrator. Mr. Giardino was selected as chairman.

Hearings were held in Long Island City, N. Y., commencing on November 3, 1949. The questions submitted for decision involved hourly rates of pay for port stewards and senior port stewards and the effective date thereof if increase awarded.

The award, dated November 15, 1949, provided for an increase of 6 cents per hour, retroactive to July 1, 1949. The retroactive date of the award was not concurred in by the company arbitrator.

ARB. 129.—*Detroit, Toledo and Ironton Railroad Co., and Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, and Brotherhood of Railroad Trainmen*

Through an agreement between the parties to this dispute, Mr. Frank M. Swacker of New York City was named as sole arbitrator to hear and decide claims of engineers, firemen, conductors, and brakemen employed by the carrier in yard service at Detroit, Mich., for an additional day's pay in addition to their regular day's pay account change in certain switch movement in the Ford Motor Co. plant, Dearborn, Mich., during September 1948, and subsequent dates.

Hearings were held in Detroit, Mich., on November 28 and 29, 1949. In the arbitration award, dated November 30, 1949, the claims were denied.

CASE A-3245, ARB. 130.—*Pan American Airways, Inc. and Flight Engineer Officer's Association and Flight Engineers International Association (PAA Chapter)*

Members of the Arbitration Board were Mr. W. Overton Snyder, representing Pan American Airways, Inc.; Mr. Lester A. Flaherty, representing the organizations; and Mr. Joseph B. Danzansky of Washington, D. C., who was named by the National Mediation Board as the third arbitrator, the party arbitrators being unable to agree upon the neutral arbitrator. Mr. Danzansky was chosen by the arbitrators to serve as chairman.

Hearings were held in Long Island City February 20 through February 24, 1950; reconvened March 3, continuing through March 7, 1950. The questions submitted for decision involved monthly rates of pay for engineer officers and assistant engineer officers and the rate by which total overtime compensation should be determined; and the effective date of any changes that might be awarded.

The award, issued March 15, 1950, provided for an increase in the rates of pay for the employees involved, on a graduated scale, although not to the extent requested by the Associations; with provisions for a premium rate for service on airships 125,000 pounds gross weight or over; overtime compensation to be determined by multiplying the total overtime hours by one over 81.8 times the average monthly salary; all changes to be effective as of January 1, 1950.

Mr. Snyder, the carrier arbitrator, dissented as to wage treatment and retroactive application thereof.

ARB. 131.—*Union Railroad Co. and Brotherhood of Locomotive Engineers.*

Members of the Arbitration Board were Mr. Frank M. Swacker, an attorney of New York City, N. Y.; Mr. J. E. DeSutter, representing the carrier; and Mr. W. F. McCabe, representing the organization.

This controversy involved a large docket of grievances which would ordinarily have been referred to the First Division of the National Railroad Adjustment Board. In direct negotiations between the parties, however, an agreement to arbitrate the unsettled claims was signed on December 23, 1949, in which Mr. Frank M. Swacker was designated as the third arbitrator.

Hearings were held in Pittsburgh, Pa., commencing January 16, 1940, and the unanimous award was made on April 26, 1950, the time having been extended by agreement of the parties, due to the length

of time necessary to hear and decide the numerous claims. A stipulation was also entered into, at the conclusion of the hearings, that certain cases be reserved for further negotiations between the parties, and that, should they be unable to reach an accord in that manner, the Arbitration Board would be recalled to decide the remaining cases. Accordingly, in June, 1950, arrangements were made for reconvening the Arbitration Board on July 21, 1950.

ARB. 132.—*The Lake Terminal Railroad Co. and Brotherhood of Railroad Trainmen.*

Members of the Arbitration Board were Mr. Andrew P. Martin for the carrier; Mr. U. D. Hartman for the organization; and Hon. Curtis G. Shake of Vincennes, Ind., as the neutral arbitrator. Judge Shake was named by the National Mediation Board as third arbitrator, in accordance with the arbitration agreement between the parties, and he was selected by the arbitration board as chairman.

Hearings were held in Cleveland, Ohio, February 6 to 8, inclusive, and the arbitration board held executive sessions in Cincinnati, Ohio, February 17, 1950, to render its award.

The matters submitted to arbitration were 15 time claims which would ordinarily have been referred to the First Division of the National Railroad Adjustment Board. In direct negotiations between the parties, however, an agreement to arbitrate the claims was signed on January 13, 1950.

The award rendered on February 17, 1950, sustained four claims; denied eight; three were withdrawn prior to arbitration proceeding. The carrier arbitrator, Mr. Martin, dissented from the award in one claim.

ARB. 133.—*Erie Railroad Co. and Brotherhood of Railroad Trainmen*

Members of the Arbitration Board were Mr. S. F. McGranahan, Assistant General Manager of the Erie Railroad Co.; Mr. H. Van Houten, representing the Brotherhood of Railroad Trainmen; and Hon. John W. Yeager, judge of the Supreme Court of Nebraska, who served as chairman.

This controversy involved a large docket of grievance and time claims which would ordinarily have been referred to the First Division of the National Railroad Adjustment Board. In direct negotiations between the parties, however, an agreement to arbitrate the unsettled claims was signed on February 13, 1950, in which Judge John W. Yeager was designated as the third arbitrator.

Hearings were held in Cleveland, Ohio, from March 20, 1950 to April 28, 1950, inclusive, and resumed on May 8 and 9, 1950. The award was dated May 18, 1950, listing 39 claims sustained and 82 denied. Prior to submission, seven of the claims had been withdrawn.

CASE A-3315, ARB. 134.—*Mid-Continent Airlines, Inc. and Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees*

The members of the Arbitration Board were Mr. V. A. Kropff, representing the carrier; Mr. H. P. Lyons, representing the organization; and Mr. Daniel T. Valdes of New Mexico as the neutral arbitrator. The party arbitrators being unable to agree upon the third arbitrator, the National Mediation Board designated Mr. Daniel T. Valdes, who was selected as chairman.

Arbitration proceedings were held in Kansas City, Mo., beginning May 1, 1950. The questions to be decided involved employees' request for increase in rates of pay; the effective date of such increase if granted; and special premium rates of pay for work during particular hours, eligibility therefor, and hours during which applicable.

The award dated May 16, 1950, provided for an increase of \$14.52 per month for the employees involved, effective February 1, 1950; with 5 cents per hour premium pay for afternoon shift, and 10 cents per hour premium pay for night shift.

CASE A-3379, ARB. 135.—*Chesapeake & Ohio Railway Co. and International Brotherhood of Blacksmiths, Drop Forgers and Helpers*

The members of the Arbitration Board were Mr. J. E. McLeod, representing the carrier; Mr. Mathew McClymont, representing the organization; and Mr. William Howard Payne of Washington, D. C., as third arbitrator. The party arbitrators being unable to agree upon the neutral arbitrator, Mr. Payne was named by the National Mediation Board, and he was chosen as chairman.

The arbitration proceedings were held in Richmond, Va., beginning May 15, 1950. The question for decision was whether work performed on the new gate shear at Russell Car Shop was transferred from the blacksmith craft; if so, should it be restored to the blacksmith craft. In its award dated May 23, 1950, the Arbitration Board found that the work in question had been transferred from the blacksmith craft and that it should be restored to that craft. The carrier arbitrator, Mr. McLeod, dissented.

CASE A-3358, ARB. 136.—*Northwest Airlines, Inc. and International Association of Machinists*

Members of the Arbitration Board were Mr. Linus C. Glotzbach representing the carrier; Mr. J. C. McGlon, representing the organization; and Mr. Harold M. Gilden, attorney, of Chicago, Ill., who was named by the National Mediation Board as the third arbitrator, the party arbitrators being unable to agree upon a neutral.

Hearings were held in St. Paul, Minn., beginning June 5, 1950. The issues submitted for determination involved the allocation to outside contractor the work of converting and overhauling certain DC-4 equipment.

The time for making the award was extended by stipulation of the parties and the award had not been filed at the close of this fiscal year.

CASE A-3285, ARB. 139.—*Pan American Airways, Inc., and Transport Workers Union of America, CIO*

Members of the Arbitration Board were Mr. W. O. Snyder of Coral Gables, Fla., representing the carrier; Mr. James F. Horst of Jackson Heights, N. Y., representing the organization; and Mr. Sidney Sugerman of New York, N. Y., selected by the parties as the third arbitrator. Mr. Sugerman was designated as chairman.

Hearings were held in Long Island City, N. Y., commencing June 15, 1950. The questions at issue involved rates and rules for flight service personnel, in connection with which a strike had occurred.

The award, rendered June 22, 1950, granted a wage increase for stewards, stewardesses, and pursers in a lesser amount than had been asked by the organization; denied demand for a form of system-wide seniority in lay-offs; and also denied the demand for a plan and schedule of severance payment in addition to the contract requirements for notice of lay-off. The organization arbitrator dissented. A separate "Opinion of the Chairman" dated June 29, 1950, was also filed in addition to the award.

2. EMERGENCY BOARDS—SECTION 10, RAILWAY LABOR ACT

If a dispute between a carrier and its employees is not adjusted and a situation arises which, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service, the Mediation Board is required, under section 10 of the act, to notify the President who may, in his discretion,

create a board to investigate and report respecting such dispute within 30 days.

After the creation of such board, and for 30 days after its report to the President, no change, except by agreement, may be made by the parties to the controversy in the conditions out of which the dispute arose.

During the fiscal year ended June 30, 1950, 11 such emergency boards were created by the President. A summary of the reports made by emergency boards during the fiscal year follows:

CASE A-3045, EMERGENCY BOARD No. 70—*Brotherhood of Locomotive Firemen and Enginemen and Carriers represented by Eastern Carriers' Conference Committee, Western Carriers' Conference Committee, and Southeastern Carriers' Conference Committee*

An Executive order signed by the President on February 15, 1949, resulted in the appointment of a board composed of Prof. George W. Taylor, of the University of Pennsylvania; Prof. George E. Osborne of Leland Stanford University, and Col. Grady Lewis, attorney of Washington, D. C. As reported in the 15th Annual Report, the board met on February 23, 1949, selected Prof. George W. Taylor as chairman, and recessed until June 27, 1949, pending completion of hearings before this same board in connection with a prior dispute between the carriers and the Brotherhood of Locomotive Engineers also involving the manning of Diesel-electric locomotives. Hearings commenced in New York City on June 27, 1949. Due to the immense volume of evidence and testimony in this case, two continuances were granted by the President, allowing additional time to September 19, 1949, for the board to complete its record and report to the President.

The principal issue in this complex case was the employment of an additional or second fireman on Diesel-electric locomotives. Other issues involved request of the organization for a fireman on rail motor-cars, the elimination of a pay differential for firemen on electric locomotives and oil-burning locomotives, and the carriers' request for the removal of certain higher-than-standard rates of pay.

In an exhaustive report to the President dated September 19, 1949, the various types of Diesel locomotives were discussed and the need for an extra fireman on each type of locomotive was examined. The conclusion of the board was that no need existed for the employment of an extra fireman on any type of Diesel in use. The board also recommended against the other demands of the organizations, and the demand of the carriers in connection with the wage question was also found to be lacking in merit.

CASE No. A-3083, EMERGENCY BOARD No. 75.—*Brotherhood of Railroad Trainmen and Union Railroad Co. (of Pittsburgh, Pa.)*

An Executive order of the President dated May 12, 1949, resulted in the appointment of a board composed of Mr. Andrew Jackson of New York, N. Y.; Judge Lief Erickson of Helena, Mont.; and Judge Elmer T. Bell of Washington, D. C.

As reported in the 15th Annual Report, the members of this board met and organized on May 18, 1949, and Mr. Andrew Jackson was selected as chairman. Due to lack of funds to pay expenses of the board, extensions of time to August 10, 1949, were approved by the President.

This dispute involved alleged violations of various provisions of agreements between the parties and a number of grievances usually referable to the National Railroad Adjustment Board. The principal items in dispute dealt with the bulletining of assignments and the connecting of airhose.

The report of the board, dated July 29, 1949, found that the agreements required a description of work actually performed by a particular crew, and that the connecting of airhose on this railroad is a

part of the regular duties of trainmen. Of the remaining items, six were withdrawn or settled by the mediation efforts of the board, and it was recommended that the remainder be referred to the Adjustment Board.

The board urged the parties to speed up disposition of grievances and disputes. It found that there seemed to be unusually long delays in handling negotiations and grievances.

CASE A-3157, EMERGENCY BOARD No. 76.—*Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors, and the Brotherhood of Railroad Trainmen, and the Missouri Pacific Railroad Co.*

An Executive order of the President dated July 8, 1949, resulted in the appointment of a board composed of Hon. Roger I. McDonough, judge of the Supreme Court of Utah; Mr. Floyd McGown, attorney, of Boerne, Tex.; and Hon. Curtis G. Shake of Vincennes, Ind., a former judge of the Supreme Court of Indiana. Hearings were held in St. Louis, Mo., commencing July 14, 1949, Judge Shake having been selected as chairman.

The dispute in this case involved numerous grievance claims which were incorporated in a strike ballot, which also included several demands of the employees for changes in rules and working conditions.

During the course of the proceedings, the board attempted to find some basis upon which the parties might be persuaded to reconcile their differences, particularly with respect to the handling of the grievance cases involved. Failing in its mediatory efforts, the board discontinued hearings on the issues referable to the Adjustment Board.

The board's report to the President was dated August 2, 1949. In its report the board recited that the grievance cases should have been submitted to the National Railroad Adjustment Board and criticized the practice of bypassing the Adjustment Board by calling strikes to secure the appointment of emergency boards. Recommendations were made on the issues involving changes in rules and operational practices not under the jurisdiction of the Adjustment Board.

The organizations rejected the findings of the board with respect to the handling of grievance cases to the National Railroad Adjustment Board, and 30 days thereafter withdrew their men from the service of the carrier for a period of 45 days. A previous section of this report discusses this strike situation in more detail.

CASES A-3085 AND A-3086, EMERGENCY BOARD No. 77.—*Brotherhood of Railroad Trainmen and Southern Pacific Co. (Pacific Lines)*

An Executive order of the President dated July 20, 1949, resulted in the appointment of a board consisting of Hon. Frank M. Swacker of New York City; Hon. Robert G. Simmons, chief justice of the Supreme Court of Nebraska; and Hon. Leverett Edwards, commissioner of Oklahoma State Industrial Commission, Oklahoma City, Okla. The board agreed upon Mr. Swacker to act as chairman.

The dispute was over demands on the part of the organization for agreements respecting crew consist. It had been precipitated by the change in the California Crew Consist Law, but the demands were more widespread.

Hearings began in San Francisco, Calif. on August 2, 1949, and an extension of time was granted to September 18, 1949, for the board to complete its proceedings and report to the President.

The report of the board was dated September 1, 1949, and stated that it was apparent that the parties had not exhausted bargaining as

required by the Railway Labor Act. It recommended that the organization re-form its demands so as to make them specific as to location and assignments, and that bargaining with the carrier then be resumed.

CASE A-3220, EMERGENCY BOARD No. 78.—*Brotherhood of Railroad Trainmen and The Monongahela Connecting Railroad Co.*

An Executive order of the President signed September 9, 1949, resulted in the appointment by the President of a board consisting of Hon. Harry H. Schwartz, former United States Senator, of Casper, Wyo.; Mr. Francis J. Robertson of the District of Columbia; and Mr. Andrew Jackson of New York City, to investigate and report on a dispute between the parties which had brought about the taking of a strike vote. Mr. Schwartz was selected to act as chairman.

The dispute involved grievance cases, two of which were disciplinary cases, and several time claims. The board, in its report to the President dated October 7, 1949, pointed out that the matters involved in the strike ballot were of a type usually referable to the National Railroad Adjustment Board. The board made specific recommendations with respect to one disciplinary case involving the dismissal of an employee, and concluded that the carrier was justified in dismissing the conductor for a violation of one of its operating rules in that he had failed to take proper action to prevent the making of a bomb or firecracker by one of the train crew which had resulted in the death of a brakeman. The board recommended, however, that in the future the carrier conduct investigations differently. With respect to the other items in the dispute, the board recommended that they be progressed to the appropriate division of the Adjustment Board, if agreement could not be reached thereon.

CASE A-3065, EMERGENCY BOARD No. 79.—*Brotherhood of Railroad Trainmen and the Denver & Rio Grande Western Railroad Co.*

An Executive order of the President dated February 4, 1950, resulted in the appointment of a board composed of Hon. Robert G. Simmons, chief justice of the Supreme Court of Nebraska; Mr. Robert O. Boyd, attorney, of Portland Oreg.; and Mr. Harold R. Korey of New York City. The board convened at Denver, Colo., on February 13, 1950, and selected Judge Simmons as chairman.

The dispute related to docket of grievance claims which had been denied by the carrier, and the demand of the organization for granting of new rules providing for a crew of a conductor and three brakemen on trains performing local service and on mine runs, and a special rate of pay for certain switching.

The board rendered its report to the President on February 28, 1950. As to the grievance cases, the board found that the employees had not exhausted their remedies under the Railway Labor Act and recommended that the grievances be submitted for decision either to the National Railroad Adjustment Board or to a system board of adjustment or to arbitration. The board recommended that the mediation procedures under the act be followed in connection with the crew consist issue, if not settled by adequate discussion between the parties. The board also found that the facts submitted did not justify the granting of the request for certain special rates of pay.

The board pointed out that the disputes involved could be resolved by the orderly processes provided by the Railway Labor Act.

CASES A-3137 AND A-3261, EMERGENCY BOARD NO. 80.—*Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors, Brotherhood of Railroad Trainmen, and the Texas & Pacific Railway Co. and its subsidiaries including Fort Worth Belt Railway Co. and the Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans.*

An Executive order of the President dated February 10, 1950, resulted in the appointment by the President of a board consisting of Mr. Frank M. Swacker of New York City, who was named as chairman; Hon. Paul G. Jasper, chief justice of the Supreme Court of Indiana; and Hon. Thomas F. Gallagher, justice of the Supreme Court of Minnesota. Hearings were held in Dallas, Tex., beginning Feb. 20, 1950.

The disputes between the parties which resulted in the taking of strike ballots concerned upwards of 1,400 grievance cases unsettled on the property, and some applications for new rules affecting working conditions.

In its report to the President, dated March 10, 1950, the board stated that after extensive hearing and mediation by the board the parties were induced to compose their disputes and enter into a series of agreements to that end and providing methods of future handling designed to avoid a recurrence of the conditions out of which these disputes arose.

CASE NO. A-3290, EMERGENCY BOARD NO. 81.—*Order of Railway Conductors and the Brotherhood of Railroad Trainmen, and carriers represented by the Eastern Carriers' Conference Committee, the Western Carriers' Conference Committee, and the Southeastern Carriers' Conference Committee.*

An Executive order of the President dated February 24, 1950, resulted in the appointment of a board composed of Hon. Roger I. McDonough, justice, Supreme Court of Utah, chairman; Hon. Mart J. O'Malley, former justice, Supreme Court of Indiana; and Professor Gordon S. Watkins, University of California. Public hearings were held in Chicago, Ill., beginning March 2, 1950, through May 9, 1950, the record consisting of 49 volumes of 8,385 pages, and 143 exhibits.

Upon stipulation of the parties and approval of the President, two extensions of time were granted, allowing to June 15, 1950, for rendition of the Board's report to the President.

The emergency precipitating the establishment of this board resulted from the announced intention of the employees represented by the two organizations to withdraw from the service of the railroads represented by the Carriers' Conference Committees, in connection with their demands for proposed new rules and changes in existing rules governing working conditions affecting primarily conductors, trainmen, yard service employees, and certain dining car and other groups of employees, altogether about 180,000 employees of the Nation's major railroads.

The issues were numerous and complex, involving such matters as the 40-hour workweek; differentials for car retarder operators, foot-board yardmasters, and baggagemen handling United States mail; graduated rate of pay tables in all classes of service; the restoration of standard wage rates between territories; and modification of other rules. Also involved were carriers' proposals to change pay provisions, rules, regulations, interpretations, and practices pertaining to the 40-hour workweek (if recommended); interdivisional and intra-divisional runs; pooling of cabooses; switching limits; and numerous other proposals.

On June 15, 1950, the board made its report to the President, recommending a 5-day, 40-hour basic workweek for railroad yard service employees, with an increase in basic rates of pay of 18 cents per hour, effective October 1, 1950. Upward adjustments in rates of

pay for car retarder operators, footboard yardmasters and baggagemen handling United States Mail were also recommended. The board recommended the withdrawal of a number of other proposals of the organizations, including one which called for a graduated basis of pay for road conductors and trainmen. The board also recommended against the establishment of a 100-mile, 5-hour basic day in passenger service to replace the 150-mile, 7½-hour basic day. Among the changes in rules proposed by the railroads, the board recommended that the carriers and the organizations negotiate revisions in rules to permit interdivisional runs, pooling of cabooses, and changes in yard switching limits; redefinition of rule covering coupling and uncoupling air hose; inclusion of a rule covering rate of pay for work performed in more than one class of service in a tour of duty; and change in reporting for duty rules. It recommended the withdrawal of other carrier-proposed rules changes.

During the course of the hearings in this case, two additional disputes on similar issues were referred to this same Board by the President. (See Emergency Boards Nos. 83 and 84.)

CASE NO. A-3343, EMERGENCY BOARD NO. 82.—*Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, and Terminal Railroad Association of St. Louis.*

An Executive order of the President dated March 3, 1950, created an emergency board to which the President later appointed Mr. Joseph L. Miller, labor relations consultant, Washington, D. C., who served as chairman; Mr. A. Langley Coffey, attorney of Tulsa, Okla.; and Professor Walter Gellhorn, Columbia University Law School, New York City. Hearings were held in St. Louis, Mo., beginning March 13, 1950.

The dispute involved the demand of the organizations for re-establishment of a wage differential in the pay of yard engine crews of the carrier, due to a commingling of services.

The report to the President was dated April 1, 1950, and recommended an increase of 45 cents per day for engineers and firemen in the employ of the carrier, retroactive to December 1, 1949.

CASE NO. A-3332, EMERGENCY BOARD NO. 83.—*Switchmen's Union of North America and Western Carriers' Conference Committee.*

An Executive order of the President dated March 20, 1950, resulted in the appointment of an emergency board composed of Hon. Roger I. McDonough, justice, Supreme Court of Utah, chairman; Hon. Mart J. O'Malley, former justice, Supreme Court of Indiana; and Professor Gordon S. Watkins, University of California. Public hearings were held in Chicago, Ill. on March 27 and 28, 1950.

This same board was concurrently engaged in investigating a dispute between the Order of Railway Conductors and the Brotherhood of Railroad Trainmen and carriers represented by the Western, Eastern, and Southeastern Carriers' Conference Committees (see Emergency Board No. 81), involving substantially the same fundamental principles and issues, having to do with the establishment of the 40-hour work-week among other things.

The Switchmen's Union was unwilling to stipulate an extension of time beyond the statutory 30-day limitation, such extension of time being deemed necessary by the board, since simultaneous hearings of the two disputes seemed neither feasible nor fair.

In its report to the President, issued April 18, 1950, the board recommended that the same treatment be accorded the employees represented by the Switchmen's Union as might be granted the workers represented by the Brotherhood of Railroad Trainmen and

the Order of Railway Conductors in the similar dispute then before this board. Where the issues were not similar, the board recommended necessary adjustments within the framework of the requests made by the organizations.

Despite further mediation efforts proffered by the National Mediation Board, following the refusal of the Switchmen's Union of North America to accept the recommendations of the emergency board in its reports of April 18 (Emergency Board No. 83) and of June 15, 1950 (Emergency Board No. 81), this situation ultimately resulted in a strike being made effective on the lines of the Great Northern, Chicago Great Western, Denver & Rio Grande Western, Western Pacific, and Chicago, Rock Island & Pacific Railroads, on June 25, 1950. Service on all of these lines was restored on July 6, 1950, with the exception of the Chicago, Rock Island & Pacific. Service on the Rock Island was not restored until July 9, 1950, that line having been placed under Government operation through Executive order No. 10141 issued by the President of the United States under date of July 8, 1950.

CASE NO. A-3330, EMERGENCY BOARD NO. 84.—*Railroad Yardmasters of America and Carriers represented by Eastern Carriers' Conference Committee, Western Carriers' Conference Committee, and Southeastern Carriers' Conference Committee.*

An Executive order of the President dated April 11, 1950, resulted in the appointment of an emergency board composed of Hon. Roger I. McDonough, justice, Supreme Court of Utah, chairman; Hon. Mart J. O'Malley, former justice, Supreme Court of Indiana; and Professor Gordon S. Watkins, University of California.

This same board was concurrently engaged in investigating two other disputes involving substantially the same fundamental principles and issues, having to do with the establishment of the 40-hour workweek (see reports on Emergency Boards Nos. 81 and 83.)

Hearings in this case were postponed because the board was preoccupied with hearings in connection with Emergency Board No. 81, and were held in Chicago, Ill., May 11 to May 18, 1950. By stipulation of the parties, and approval of the President, the time for submitting report was extended to June 15, 1950.

The report of the board was made to the President on June 15, 1950, and recommended adoption of a basic 5-day workweek, with an 18-cent-an-hour adjustment in pay; but declined to recommend full maintenance of take-home pay.

CASE NO. A-3381, EMERGENCY BOARD NO. 85.—*Brotherhood of Railroad Trainmen and Chicago & Illinois Midland Railway Co.*

An Executive order of the President dated April 26, 1950, resulted in the appointment of an emergency board composed of Mr. Andrew Jackson of New York City; Hon. Harry H. Schwartz, former United States Senator, of Casper, Wyo.; and Mr. Joseph S. Kane, of Seattle, Wash. Mr. Jackson was designated by the board to be chairman.

Hearings were held in Springfield, Ill., beginning May 8, 1950. There were eight issues in dispute—two involving changes in rules and six involving the interpretation and application of rules, which ordinarily would have been referable to the National Railroad Adjustment Board. After the hearings were concluded, the parties, with the assistance of the board acting in a mediatory capacity, resolved all of the issues.

The board's report to the President was dated May 19, 1950, reporting agreement on all issues.

CASE No. A-3392, EMERGENCY BOARD No. 86.—*Brotherhood of Railroad Trainmen and Boston & Albany Railroad Co. (New York Central Railroad Co., Lessee)*

An Executive order of the President dated June 6, 1950, resulted in the designation of Mr. Andrew Jackson, attorney, of New York City; Hon. Paul G. Jasper, chief justice, Supreme Court of Indiana; and Dr. George W. Stocking, professor of Economics, Vanderbilt University, Nashville, Tenn., to constitute an emergency board to investigate and report on the dispute. Mr. Andrew Jackson was chosen by the board to serve as its chairman.

Hearings were held in Boston, Mass., beginning June 21, 1950, concluding on June 29, 1950. The board thereafter undertook to mediate the differences between the parties, but without success. The report of the board to the President was dated July 6, 1950, and will therefore be included in the annual report for fiscal year ending June 30, 1951.

SPECIAL BOARD OF ADJUSTMENT.—(From Emergency Board No. 80. Cases A-3137 and A-3261).—*Brotherhood of Locomotive Engineers; Brotherhood of Locomotive Firemen and Enginemen; Order of Railway Conductors; and Brotherhood of Railroad Trainmen; and The Texas & Pacific Railway Co., its subsidiary lines, and Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans.*

As a result of the mediatory efforts of the members of Emergency Board No. 80, agreements were entered into between the parties, dated March 8, 1950, for the creation of a special board of adjustment under the Railway Labor Act, to be known as the Texas and Pacific Board of Adjustment, to decide numerous unsettled time claims which had been included in a strike ballot of January 25, 1950, and other claims arising prior to the date of the agreement, which would ordinarily be referable to the National Railroad Adjustment Board in Chicago.

The agreements provided for the selection of one member to represent each of the organizations, one member to represent the carriers, and a neutral member. Provision was also made in the agreements for disposition of certain cases by dividing the Board of Adjustment into two panels: One to handle engine service cases would consist of a member representing one of the engine service organizations, a carrier member, and the neutral member; the other panel to handle train and yard service cases would consist of a member representing one of the train and yard service organizations, a carrier member, and the neutral member; the full Board of Adjustment to have jurisdiction over claims and grievances which had been appealed on behalf of employees by two or more member organizations.

The party members failed to agree on the selection of a neutral, and the National Mediation Board named Mr. Frank M. Swacker of New York City to serve in that capacity. The other members of the Board were Messrs. H. C. Hobart, B. M. Alvord, C. H. Bingham, and C. H. Smith, representing the respective organizations; and Mr. B. C. James, representing the carriers.

Proceedings commenced in Dallas, Tex., on June 5, 1950, but had not been concluded at the close of this fiscal year.

VI. WAGE AND RULE AGREEMENTS

The Railway Labor Act places upon both the carriers and their employees the duty of exerting every reasonable effort to make and maintain agreements governing rates of pay, rules, and working conditions. The number of such agreements in existence indicates the wide extent to which this policy of the act has become effective on both rail and air carriers.

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

Under section 5, third (e), all carriers subject to the Railway Labor Act are required to file with the National Mediation Board copies of all their agreements with employee representatives governing rates of pay, rules, and working conditions. As of June 30, 1950, there was on file with this Board a total of 5,092 such agreements, or an increase of 32 new agreements received during the year. Of this increase, 16 new agreements cover airline employees and the remainder are applicable to railroads or miscellaneous employees. Table 10 shows for the 16-year period, 1935-50, the number of agreements filed with the Board, subdivided by classes of carriers, and by types of labor organizations.

In addition to the formal agreements recorded in table 10, the Board also receives each year many supplemental agreements and amendments to existing agreements. During the fiscal year ended June 30, 1950, a total of 2,179 such revisions and supplements was filed with the Board. Of this total 2,144 were revised or amended agreements. Two of the supplemental agreements received during the year provided for the transfer of existing agreements from one organization to another, after changes in representation. Adding the 2,144 revised and supplemental agreements to the 32 new basic agreements produces a total of 2,176 agreements of all types received in the Board's office during the fiscal year 1950.

TABLE 10.—Number of labor agreements on file with the National Mediation Board according to type of labor organizations, by class of carriers, fiscal years 1935-50

Types of labor organizations and fiscal years	All carriers	Class I	Class II	Class III	Switching and terminal	Electric	Express and Pullman	Miscellaneous carriers	Air line carriers
All organizations:									
1950.....	5,092	3,094	638	114	749	159	13	84	241
1949.....	5,060	3,084	636	114	747	159	13	83	224
1948.....	5,002	3,068	634	113	743	159	13	81	191
1947.....	4,937	3,044	629	112	735	158	13	78	168
1946.....	4,833	3,002	627	112	724	153	8	68	139
1945.....	4,665	2,913	623	112	705	150	8	56	98
1944.....	4,563	2,858	618	112	697	143	8	48	79
1943.....	4,466	2,807	614	107	672	135	8	46	77
1942.....	4,390	2,787	605	104	646	129	8	40	71
1941.....	4,292	2,745	591	102	627	121	8	39	59
1940.....	4,193	2,708	582	102	603	108	8	38	44
1939.....	4,095	2,666	573	101	578	98	8	37	34
1938.....	4,055	2,730	548	98	541	77	8	37	16
1937.....	3,836	2,098	471	98	501	47	6	11	4
1936.....	3,485	2,448	451	98	464	19	5	0	0
1935.....	3,021	2,335	319	18	334	0	5	0	0
National organizations:									
1950.....	4,460	2,774	547	97	652	132	10	69	179
1949.....	4,432	2,764	546	97	650	132	10	69	164
1948.....	4,378	2,748	544	96	646	132	10	67	135
1947.....	4,324	2,728	539	96	638	131	10	65	117
1946.....	4,227	2,688	537	96	627	126	5	56	92
1945.....	4,070	2,600	533	96	610	123	6	47	55
1944.....	3,981	2,550	528	96	603	116	8	39	41
1943.....	3,897	2,507	525	91	580	108	8	38	40
1942.....	3,834	2,487	519	88	555	105	8	33	39
1941.....	3,761	2,456	508	86	538	99	8	32	34
1940.....	3,672	2,421	501	86	516	89	8	31	20
1939.....	3,570	2,367	492	86	491	81	8	31	14
1938.....	3,372	2,258	467	83	451	66	8	31	8
1937.....	3,125	2,184	389	83	414	36	6	11	2
1936.....	2,721	1,864	370	83	384	15	5	0	0
1935.....	2,222	1,652	265	6	294	0	5	0	0
System associations:									
1950.....	539	266	89	15	79	23	3	14	50
1949.....	537	266	88	15	79	23	3	14	49
1948.....	534	266	88	15	79	23	3	14	46
1947.....	528	266	88	15	79	23	3	13	41
1946.....	524	265	88	15	79	23	3	12	39
1945.....	515	265	88	15	77	23	2	9	36
1944.....	503	261	88	15	76	23	0	9	31
1943.....	490	253	87	15	74	23	0	8	30
1942.....	479	253	84	15	73	20	0	7	27
1941.....	462	247	81	15	72	20	0	7	20
1940.....	456	247	79	15	72	17	0	7	19
1939.....	466	262	79	14	74	16	0	6	15
1938.....	571	380	79	14	76	10	0	6	6
1937.....	597	418	81	14	74	10	0	0	0
1936.....	651	487	81	14	65	4	0	0	0
1935.....	718	602	64	12	40	0	0	0	0
Local unions:									
1950.....	93	54	2	2	18	4	0	1	12
1949.....	91	54	2	2	18	4	0	0	11
1948.....	90	54	2	2	18	4	0	0	10
1947.....	85	50	2	1	18	4	0	0	10
1946.....	82	49	2	1	18	4	0	0	8
1945.....	80	48	2	1	18	4	0	0	7
1944.....	79	47	2	1	18	4	0	0	7
1943.....	79	47	2	1	18	4	0	0	7
1942.....	77	47	2	1	18	4	0	0	5
1941.....	69	42	2	1	17	2	0	0	5
1940.....	65	40	2	1	15	2	0	0	5
1939.....	59	37	2	1	13	1	0	0	5
1938.....	112	92	2	1	14	1	0	0	2
1937.....	114	96	1	1	13	1	0	0	2
1936.....	113	97	0	1	15	0	0	0	0
1935.....	81	81	0	0	0	0	0	0	7

2. CLASSES OF EMPLOYEES COVERED BY AGREEMENTS

Table 11 shows the extent of coverage by collective-bargaining agreements for the various crafts or classes of employees on the principal rail carriers of the United States. The data in this table summarize the detailed information for the individual carriers shown in table 12A, and indicate the scope of representation by the various national labor organizations.

TABLE 11.—*Number of agreements between 136¹ carriers and their employees by crafts or classes of employees, according to types of labor organizations holding the agreements, June 30, 1950*

Craft or class of employees	Number of agreements held by			No or- ganiza- tion	Number of carriers employing no person- nel in craft or class
	National labor or- ganizations	System associa- tions	Local unions		
Engineers.....	135	—	—	1	—
Firemen and hostlers.....	136	—	1	1	—
Conductors.....	135	—	—	1	—
Brakemen, flagmen, and baggagemen.....	134	—	3	1	—
Yard foremen, helpers, and switchtenders.....	133	—	3	1	4
Yardmasters.....	95	4	—	20	17
Machinists.....	129	3	—	3	1
Boilermakers.....	128	4	—	1	3
Blacksmiths.....	126	4	—	2	4
Sheet metal workers.....	125	3	—	3	5
Electrical workers.....	121	4	—	6	5
Carmen.....	131	4	—	1	—
Powerhouse employees and railway shop laborers.....	129	1	—	6	1
Clerical, office, station, and storehouse.....	131	—	—	5	—
Maintenance of way employees.....	136	—	—	2	—
Telegraphers.....	129	—	—	5	2
Signalmen.....	106	—	—	9	21
Dispatchers.....	118	2	—	9	7
Dining car stewards.....	50	2	—	4	80
Dining car cooks and waiters.....	60	1	4	8	63
Marine service:					
Licensed deck.....	28	1	—	1	108
Licensed engine.....	27	1	—	2	107
Other marine employees.....	42	2	3	3	106

¹ See table 12.

3. AGREEMENTS ON PRINCIPAL CARRIERS

Tables 12A and 12B present a summary of the collective bargaining agreements in effect as of June 30, 1950, on carriers subject to the Railway Labor Act. It will be noted that table 12A is devoted to agreements on class I railroads while table 12B summarizes agreements in effect on the Pullman Co. and the Railway Express Agency, Inc. Similar information respecting labor agreements on the major scheduled airlines subject to the Railway Labor Act is presented in table 12C.

Opposite the name of each carrier shown in the tables are given the initials of the name of the organizations holding the agreement for each craft or class of employees. National organizations are shown by the initials of their names, local unions by the designation "LU", and system associations by the letters "SA,". The tables carry all current agreements for the carriers named which are on file with the Board with effective dates not later than June 30, 1950.

TABLE 12A.—Collective labor agreements and employee representation of 136 selected rail carriers as of June 30, 1950

Railroad	Engineers	Firemen and hostlers	Conductors	Brakemen, flagmen, and baggage men	Yard foremen, helpers, and switchtenders	Yard masters	Machinists	Boiler-makers	Blacksmiths	Sheet-metal workers	Electrical workers	Car men and coach cleaners	Powerhouse employees and railway shop laborers	Clerical, office, station, and storehouse employees	Maintenance of way employees	Telegraphers	Signalmen	Dispatchers	Dining-car stewards	Dining-car cooks and waiters	Masters, mates, and pilots	Marine Engineers	Others	All other employees, miscellaneous groups
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
1 Akron, Canton & Youngstown Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
2 Ann Arbor R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
3 Atchafalaya & Santa Fe Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
4 Gulf, Colorado & Santa Fe Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
5 Panhandle & Santa Fe Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
6 Atlanta & West Point R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
7 Western Railway of Alabama	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
8 Atlantic Coast Line R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
9 Baltimore & Ohio R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
10 Bangor & Aroostook R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
11 Bessemer & Lake Erie R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
12 Boston & Maine R. R.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
13 Burlington-Rock Island R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
14 Canadian National Lines R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
15 Canadian National Lines in New England	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
16 Canadian Pacific Lines in Maine & Vermont	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
17 Central of Georgia R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
18 Central R. R. of New Jersey	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
19 Central Vermont Ry. Co., Inc.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
20 Charleston & Western Carolina Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
21 Chesapeake & Ohio Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
22 Pere Marquette Division	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
23 Chicago & Eastern Illinois Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
24 Chicago & Illinois Midland Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
25 Chicago & North Western Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
26 Chicago, Burlington & Quincy R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
27 Chicago Great Western R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
28 Chicago, Indianapolis & Louisville Ry.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
29 Chicago, Milwaukee, St. Paul & Pacific R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
30 Chicago, Rock Island & Pacific Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
31 Chicago, St. Paul, Minneapolis & Omaha Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
32 Cincinnati R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	BSA	ATDA			FAA	MEBA	ORT; "NMU";	ARS; "RPU"; "IBEW"; "RPU"; "HRE"; "ATDA"; "BSCP";
33 Colorado & Southern Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO											

TABLE 12B.—*Collective labor agreements and employee representation on pullman and express companies as of June 30, 1950*

Carrier	Sleeping car conductors	Sleeping car porters, attendants and maids	Machinists	Blacksmiths	Sheet metal workers	Electrical workers	Carmen	Power-house employees and rail way shop laborers	Chauffeurs, helpers, and garagemen	Agents	Clerical, office, station, and store-house employees	Misc.
Railway Express Agency, Inc.----- The Pullman Co.----	(*)----- ORC-----	(*)----- BSCP; UTSE #	IAM----- IAM-----	IBBDF----- IBBDF-----	(*)----- SMWIA-----	(*)----- IBEW-----	(*)----- BRCA-----	(*)----- IBFO-----	BRC-IBTCWH----- (*)-----	ORT----- (*)-----	BRC----- BRC-----	ARSA'

FOOTNOTES TO TABLES 12A AND 12B

- ¹ Train, coach parlor, sleeping, and club car porters.
- ² Unlicensed deck personnel.
- ³ Unlicensed engine personnel.
- ⁴ Marine cooks and stewards.
- ⁵ System agreement.
- ⁶ Hotel and restaurant employees.
- ⁷ Supervisors of mechanics.
- ⁸ Molders.
- ⁹ Ore dock workers.
- ¹⁰ Printers.
- ¹¹ Wire chiefs.
- ¹² Wharf freight handlers.
- ¹³ Taproom attendants.
- ¹⁴ Coal dumper employees.
- ¹⁵ Longshoremen.
- ¹⁶ Redcaps, ushers, and station attendants.
- ¹⁷ Roadmasters.
- ¹⁸ Nurses.
- ¹⁹ Float watchmen, bridgemen, and bridge operators.
- ²⁰ Not an operating class I carrier but included to show extent of system agreements.
- ²¹ Stationmasters.
- ²² Technical engineers, architects, draftsmen, and allied workers.
- ²³ Hoisting engineers.
- ²⁴ Bricklayers.
- ²⁵ Grain elevator employees.
- ²⁶ Foundry employees.
- ²⁷ Bus and/or truck drivers.
- ²⁸ Formerly class I but now class II carrier.
- ²⁹ Foremen only.
- ³⁰ Powerhouse employees only.
- ³¹ Shop laborers.
- ³² Hump motorcar operators.
- ³³ Crossing tenders.
- ³⁴ Motorcar operators.
- ³⁵ Police department employees.
- ³⁶ Firemen only.
- ³⁷ Holsters.
- ³⁸ Telephone and telegraph linemen.
- ³⁹ Substation operators.
- ⁴⁰ Lighter captains.
- ⁴¹ Stockyard employees.
- ⁴² Cooks only.
- ⁴³ Waiters only.
- ⁴⁴ Coal pier operators.
- ⁴⁵ Water service employees.
- ⁴⁶ Pursers and assistants.
- ⁴⁷ Bartenders.
- ⁴⁸ Laundry workers and seamstresses.
- ⁴⁹ Gatemen.
- ⁵⁰ Drawbridge operators.
- ⁵¹ Coal pier foremen.
- ⁵² Car riders.
- ⁵³ Foremen in electric traction department.
- ⁵⁴ Purser-radio operator.
- ⁵⁵ Marine shop employees.
- ⁵⁶ Maids and chair-car attendants.
- ⁵⁷ Hoisting and portable engineers in stores department.
- ⁵⁸ Parlor and sleeping-car conductors.
- ⁵⁹ Coal cranemen.
- ⁶⁰ Subordinate officials in maintenance-of-way and structures department.
- ⁶¹ Passenger representatives.
- ⁶² Platform vendor service employees.
- ⁶³ Power dispatchers.
- ⁶⁴ Boat dispatchers.
- ⁶⁵ Motorcar repairmen.
- ⁶⁶ Porter brakemen.
- ⁶⁷ Marine chefs, cooks and waiters.
- ⁶⁸ Baggage men not included.
- ⁶⁹ Portmaster.
- ⁷⁰ Watch engineers, stokers and assistant stokers in M/W and Str; department.
- ⁷¹ Grain boat captains.

SYMBOLS FOR TABLES 12A AND 12B

(.)	Carrier reports no employees in this craft or class.
(x)	Some employees in this craft or class but not covered by agreement.
(#)	Included in system agreement.
AASER	Amalgamated Association Street, Electric Railway and Motor Coach Employees of America, A. F. of L.
ABRP	American Brotherhood of Railway Police.
ARSA	American Railway Supervisors Association.
ATDA	American Train Dispatchers Association.
BLE	Brotherhood of Locomotive Engineers.
BLF&E	Brotherhood of Locomotive Firemen & Enginemen.
BMW	Brotherhood of Maintenance-of-Way Employees.
BRG	Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.
BRCA	Brotherhood Railway Carmen of America.
BRSCA	Brotherhood of Railroad Shop Crafts of America.
BRSA	Brotherhood of Railroad Signalmen of America.
BRT	Brotherhood of Railroad Trainmen.
BSCP	Brotherhood of Sleeping Car Porters.
FAA	Foremen's Association of America.
HRE	Hotel and Restaurant Employees and Bartenders International Union.
IAM	International Association of Machinists.
IARE	International Association of Railway Employees.
IBBDF	International Brotherhood of Blacksmiths, Drop Forgers and Helpers.
IBBISB	International Brotherhood of Rollermakers, Iron Ship Builders, & Helpers of America.
IBEW	International Brotherhood of Electrical Workers.
IBFO	International Brotherhood of Firemen, Oilers, Helpers and Roundhouse and Railway Shop Laborers, A. F. of L.
IBTCW&H	International Brotherhood of Teamsters, Chauffeurs, Warehousemen, men, and Helpers, A. F. of L.
IFTEA&DU	International Federation of Technical Engineers, Architects, and Draftsmen's Unions, A. F. of L.
ILA	International Longshoremen's Association.
IL&WU	International Longshoremen and Warehousemen's Unions, C. I. O.
ISOE	International Union of Steam and Operating Engineers.
IUP	Inlandboatmen's Union of the Pacific.
LU	Local Union.
MEBA	National Marine Engineers Beneficial Association.
MMP	National Organization Masters, Mates, and Pilots of America.
NMU	National Maritime Union.
ORC	Order of Railway Conductors of America.
ORT	The Order of Railroad Telegraphers.
RED	Railway Employees' Department, A. F. of L.
RIU	Railroad Industrial Union.
RPW	National Council Railway Patrolmen's Union, A. F. of L.
RYA	Railroad Yardmasters of America, A. F. of L.
RYNA	Railroad Yardmasters of North America.
SA	System Association, committee or individual.
SIUNA	Seafarers' International Union of North America.
SMWIA	Sheet Metal Workers International Association.
SUNA	Switchmen's Union of North America.
TWU	Transport Workers Union, C. I. O.
UAW	United Automobile, Aircraft, and Agricultural Implement Workers of America, C. I. O.
UMWA	District 50, United Mine Workers of America.
URRWA	United Railroad Workers of America merged with Industrial Union of Marine and Shipbuilding Workers of America.
USA	United Steelworkers of America.
UTSE	United Transport Service Employees, C. I. O.
UWOC	Utility Workers Organizing Committee, C. I. O.
US&MWU	Utility Service and Maintenance Workers Union, Local 213, Independent.

TABLE 12C.—Collective labor agreements and employee representation on principal air line carriers as of June 30, 1950

Carrier	Pilots	Flight engineers	Radio and teletype operators	Flight navigators	Mechanics	Flight dispatchers	Clerical, office, stores, fleet and passenger service	Stewards and stewardesses	Guards-watchmen	Miscellaneous
Airline Transport Carriers.....	ALPA	ACFEA	ALCEA-ARA		IAM					
American Airlines, Inc.....	ALPA	ACFEA	ALCEA-ARA		UAW	ALDA	UAW	ALSSA	IAM	
All American Airways, Inc.....	ALPA				IAM	ALDA		ALSSA		
American Overseas Airlines, Inc.....	ALPA	ALFEA	FCOA	AAN	UAW	ALDA		FP&SA	IAM	UAW
Brantiff Airways, Inc.....	ALPA	ALPA	ALCEA-ARA		UAW	ALDA	BRC	ALSSA		
Capital Airlines, Inc. (formerly Pennsylvania-Central Airlines Corp.)	ALPA		ALCEA-ARA		IAM	ALDA	BRC	ALSSA		UTSE; 8, 15 IAM ²⁰
Challenger Air Lines Company,†	ALPA									
Chicago & Southern Air Lines, Inc.	ALPA		ACCOA		UAW	ALDA		ALSSA		
Colonial Airlines, Inc.....	ALPA				IAM		IAM	ALSSA		
Continental Air Lines, Inc.....	ALPA				UAW	ALDA	UAW	ALSSA	IAM	SAM
Delta Air Lines, Inc.....	ALPA				UAW					
Eastern Air Lines, Inc.....	ALPA	ALFEA			IAM			ALSSA		IAM
Flying Tiger Lines, Inc.....	FTPA-SA				IAM		IBTCW&HBRC			IBTCW&H
Inland Air Lines, Inc.....	ALPA		ALCEA-ARA		UAW	ALDA		ALSSA		UAW
Mid-Continent Airlines, Inc.....	ALPA		ALCEA-ARA		UAW	ALDA	BRC	ALSSA		UAW; 15 SA
Monarch Air Lines, Inc.†	ALPA				IAM					
National Airlines, Inc.....	ALPA		IAM		IAM	ALDA	IAM	ALSSA		
Northeast Airlines, Inc.....	ALPA		ROU		IAM	ALDA	BRC	ALSSA		
Northwest Airlines, Inc.....	ALPA		ALCEA-ARA	ALNA-TWU	IAM	ALDA	BRC	ALSSA	UAW	IBTCW&H; 10 IAM; 11, 15 SAM
Pacific Northern Airlines.....										
Pan American Airways, Inc.....	ALPA	FEIA	TWU	FEIA	TWU	ALDA	BRC	TWU	TWU	TWU; 9, 11, 15 AMA; 15 UTSE
Piedmont Aviation, Inc.....	ALPA					ALDA				
Pioneer Air Lines.....								ALSSA		
Robinson Airlines.....	ALPA							ALSSA		
Slick Airways, Inc.....	SAPA-SA				ALA					
Southwest Airways, Inc.....					IAM					
Transcontinental & Western Air, Inc.....	ALPA	FEIA	ALCEA-ARA	ALNA-TWU	IAM	ALDA		ALSSA	IAM	
Trans-Pacific Airlines, Ltd.....	ALPA					ALDA				
Trans Texas Airways.....					IAM					
United Air Lines, Inc.....	ALPA	ACFEA	ALCEA-ARA	TWU	IAM	ALDA	IAM	ALSSA		SAM; 15 IAM
Western Air Lines, Inc.....	ALPA		ALCEA-ARA		UAW	ALDA	BRC	ALSSA		UAW
Wisconsin Central Airlines.....	ALPA				IAM	ALDA				
Hawaiian Air Lines, Ltd.....	ALPA		SA		SA		SA	SA		

SYMBOLS

AAN	Association of Air Navigators.	FEIA	Flight Engineers International Association.
ACCOA	Air Carrier Communication Operators' Association.	FP&SA	Flight Purser and Stewardesses Association.
ALA	Airfreight Labor Association.	FROA	Flight Radio Officers Association.
ACFEA	Air Carrier Flight Engineers Association.	IAM	International Association of Machinists.
ALCEA-ARA	Air Line Communication Employees Association, A. R. A.-C. I. O.	IBTCW&H	International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, A. F. of L.
ALDA	Air Line Dispatchers' Association, A. F. of L.	ROU	Radio Officers Union of the Commercial Telegraphers Union, A. F. of L.
ALFEA	Air Line Flight Engineers Association, Inc., A. F. of L.	SAM	Society of Airline Meteorologists.
ALPA	Air Line Pilots Association, A. F. of L.	TWU	Transport Workers Union of America, C. I. O.
ALSA	Air Line Stewardesses Association.	UAW	United Automobile, Aircraft, Agricultural Implement Workers of America, C. I. O.
ALSSA	Air Line Stewards and Stewardesses Association.	UTSE	United Transport Service Employees of America, C. I. O.
AMA	Airline Meteorologists Association.	SA	System Association, committee or individual.
BRC	Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express and Station Employees.		
FCOA	Flight Communication Officers' Association.		

FOOTNOTES

¹ Also represents stockroom personnel.

² Includes flight radio officers.

³ Fire inspectors.

⁴ Includes teletype operators.

⁵ Stockroom personnel only.

⁶ Station managers only.

⁷ Represents stockroom personnel and cargo handlers.

⁸ Red caps, ushers, and porters.

⁹ Stationary firemen.

¹⁰ Truck drivers.

¹¹ Restaurant and flight kitchen personnel.

¹² Marine terminal porters.

¹³ Stewardesses only.

¹⁴ Also represents commissary clerks.

¹⁵ Unskilled workers.

¹⁶ Meteorologists.

¹⁷ Transportation agents only.

¹⁸ Technical engineers, architects, and draftsmen, below rank of officials.

¹⁹ Mechanical department foremen.

²⁰ District maintenance managers, maintenance foremen and assistant foremen.

²¹ Includes cleaners, porters, and utility men.

[†] Challenger & Monarch now known as Frontier Airlines as of April, 1950.

^{*} Superintendents.

VII. INTERPRETATION AND APPLICATION OF AGREEMENTS

Agreements or contracts made in accordance with the Railway Labor Act are of two kinds: First, those consummated as a result of direct negotiations between carriers and representatives of their employees establishing rates of pay, rules, and working conditions; second, mediation agreements made by the same parties and also dealing with rates of pay, rules, and working conditions, but consummated with the assistance and under the auspices of the National Mediation Board. These two types of agreements are generally designated, respectively, as "wage and rule agreements" and "mediation agreements." The meaning, application, or interpretation of these two types of agreements occasionally leads to differences between those who are parties to them.

TABLE 13.—*Cases docketed and disposed of by the National Railroad Adjustment Board, fiscal years 1935-50, inclusive*

ALL DIVISIONS

Cases	16-year period 1935-50	1950	1949	1948	1947	1946	1945
Open and on hand at beginning of period.....	-----	3, 271	2, 722	2, 500	3, 371	4, 921	5, 320
New cases docketed.....	33, 531	2, 352	1, 875	1, 573	1, 142	1, 011	2, 675
Total number of cases on hand and docketed.....	33, 531	5, 623	4, 597	4, 163	4, 513	5, 932	7, 995
Cases disposed of.....	29, 980	2, 072	1, 326	1, 339	1, 923	2, 561	3, 074
Decided without referee.....	9, 351	265	242	174	425	189	851
Decided with referee.....	10, 030	1, 188	818	909	692	248	704
Withdrawn.....	10, 599	619	266	256	806	2, 124	1, 519
Open cases on hand close of period.....	6, 822	3, 551	3, 271	2, 824	2, 590	3, 371	4, 921
Heard.....	2, 103	763	1, 340	1, 431	933	1, 200	1, 258
Not heard.....	4, 719	2, 788	1, 931	1, 393	1, 657	2, 171	3, 663

FIRST DIVISION

Open and on hand at beginning of period.....	-----	2, 842	2, 347	2, 321	3, 143	4, 720	5, 138
New cases docketed.....	26, 237	1, 766	1, 226	954	620	573	2, 233
Total number of cases on hand and docketed.....	26, 237	4, 608	3, 573	3, 275	3, 763	5, 293	7, 371
Cases disposed of.....	23, 067	1, 438	731	826	1, 442	2, 150	2, 651
Decided without referee.....	7, 983	221	165	96	355	141	810
Decided with referee.....	5, 731	669	389	528	347	.....	411
Withdrawn.....	9, 353	548	177	202	740	2, 009	1, 430
Open cases on hand close of period.....	6, 012	3, 170	2, 842	2, 449	2, 321	3, 143	4, 720
Heard.....	1, 530	468	1, 062	1, 204	786	1, 073	1, 152
Not heard.....	4, 482	2, 702	1, 780	1, 245	1, 535	2, 070	3, 568

¹ Includes 102 cases received, not docketed.

TABLE 13.—Cases docketed and disposed of by the National Railroad Adjustment Board, fiscal years 1935-50, inclusive—Continued

SECOND DIVISION

Cases	16-year period 1935-50	1950	1949	1948	1947	1946	1945
Open and on hand at beginning of period.....		34	34	16	18	28	17
New cases docketed.....	1,415	63	63	69	54	44	83
Total number of cases on hand and docketed.....	1,415	97	97	85	72	72	100
Cases disposed of.....	1,384	66	63	51	56	54	72
Decided without referee.....	523	13	10	12	7	8	17
Decided with referee.....	603	45	43	36	43	29	44
Withdrawn.....	258	8	10	3	6	17	11
Open cases on hand close of period.....	65	31	34	34	16	18	28
Heard.....	48	24	24	19	9	16	18
Not heard.....	17	7	10	15	7	2	10

THIRD DIVISION

Cases	16-year period 1935-50	1950	1949	1948	1947	1946	1945
Open and on hand at beginning of period.....		362	338	245	204	166	164
New cases docketed.....	5,103	420	495	467	387	337	335
Total number cases on hand and docketed.....	5,193	782	833	712	591	503	499
Cases disposed of.....	4,865	454	471	374	346	299	333
Decided without referee.....	644	10	42	37	58	29	20
Decided with referee.....	3,348	412	358	297	255	190	238
Withdrawn.....	873	32	71	40	53	80	75
Open cases on hand close of period.....	690	328	362	338	245	204	166
Heard.....	489	254	235	205	136	110	87
Not heard.....	201	74	127	133	109	94	79

FOURTH DIVISION

Cases	16-year period 1935-50	1950	1949	1948	1947	1946	1945
Open and on hand at beginning of period.....		33	3	8	6	7	1
New cases docketed.....	686	103	91	83	81	57	24
Total number cases on hand and docketed.....	686	136	94	91	87	64	25
Cases disposed of.....	664	114	61	88	79	58	18
Decided without referee.....	201	21	25	29	25	11	4
Decided with referee.....	348	62	28	48	47	29	11
Withdrawn.....	115	31	8	11	7	18	3
Open cases on hand close of period.....	55	22	33	3	8	6	7
Heard.....	36	17	19	3	2	1	1
Not heard.....	19	5	14	0	6	5	6

1. INTERPRETATION OF WAGE AND RULE AGREEMENTS

Disputes involving the application or interpretation of agreements concerning rates of pay, rules, or working conditions are subject to the jurisdiction of the National Railroad Adjustment Board, under the provisions of section 3 of the Railway Labor Act. How that Board, through its four divisions, discharged its functions during the fiscal year 1950 is described in the report of the adjustment board

and the separate reports of the divisions, which are reproduced as Appendix A to this report. Table 13, above, is a tabulation of the cases handled by divisions for the years 1935-50. Included in the table is a recapitulation of the cases handled by the four divisions since the creation of the adjustment board in 1935. It will be noted that of the 33,531 cases docketed by the Board since it began operation, 29,980 have been docketed by the First Division. Thus, for the 16-year period during which the National Railroad Adjustment Board has been in operation, the First Division has accounted for 89 percent of all cases docketed. By reason of the sharp increase in the number of cases docketed by the First Division during this fiscal year, the proportion increased from 78 percent in 1949 to 89 percent in 1950, as stated above.

During the fiscal year 1950, the First Division, in an effort to expedite disposition of its backlog of cases, established two supplemental boards. The cases disposed of by the supplemental boards are included in the totals of the First Division in table 13. The supplemental boards did not begin to function until January 1950, and thus were in operation for only about one-half of the fiscal year. The extent to which the creation of the supplemental boards assisted the First Division in coping more adequately with its large backlog of pending cases is indicated in table 13 wherein the cases disposed of by the First Division increased from 731 in 1949 to 1,438 in 1950, an increase of approximately 97 percent. This increase in the number of cases disposed of did not reduce the backlog, however, due to the increase in cases docketed during this fiscal year; the cases docketed in 1950 being 1,766 as compared with 1,226 cases docketed in (fiscal year 1949. The number of docketed cases on hand increased from 2,842 at the end of the fiscal year 1949 to 3,170 as of June 30, 1950.

When the members of any of the four divisions of the adjustment board are unable to agree upon an award in any dispute being considered, because of a deadlock or inability to secure a majority vote, they are required under section 3, first (1), of the act to attempt to agree upon and select a neutral person to sit with the division as a member and make an award. Failing to agree upon such neutral person within 10 days, the act provides that that fact be certified to the National Mediation Board, whereupon the latter body selects the neutral person or referee.

The qualifications of the referee are indicated by his designation in the act as a "neutral person." In the appointment of referees the National Mediation Board is bound by the same provisions of the law that apply in the appointment of arbitrators. The law requires that appointees to such positions must be wholly disinterested in the controversy, impartial, and without bias as between the parties in dispute.

The following tabulation gives the names and residences of all persons appointed for service as referees on the adjustment board during the past year:

Referees appointed

FIRST DIVISION

Referee		Date of appointment	Number of cases for which appointed
Name	Residence		
Yeager, John W.	Lincoln, Nebr.	July 11, 1949	42
Klamon, Dr. Joseph M.	University City, Mo.	July 20, 1949	43
Boyd, Robert O.	Portland, Oreg.	Sept. 23, 1949	45
Donaldson, J. Glenn	Denver, Colo.	Oct. 3, 1949	45
Do	do	June 19, 1950	1 62
O'Malley, Mart J.	Huntington, Ind.	Nov. 17, 1949	68
Munro, Angus	Dallas, Tex.	Nov. 30, 1949	49
Do	do	Mar. 17, 1950	1 62
Gilden, Harold M.	Chicago, Ill.	Jan. 19, 1950	48
Chappell, E. B.	Lincoln, Nebr.	Feb. 10, 1950	2 2
Do	do	May 3, 1950	2 27
Whiting, Dudley E. ⁴	Detroit, Mich.	Feb. 21, 1950	53
Wenke, Adolph E.	Lincoln, Nebr.	Mar. 1, 1950	43
Thaxter, Sidney St. F.	Portland, Maine	Mar. 22, 1950	46
Robertson, Francis J.	Washington, D. C.	June 1, 1950	45
Gallagher, Thomas F.	St. Paul, Minn.	June 7, 1950	44
Spencer, William H.	Chicago, Ill.	June 16, 1950	89

SECOND DIVISION

Donaldson, J. Glenn ⁴	Denver, Colo.	July 5, 1949	9
Do	do	July 12, 1949 ^{5 6}	6
Do	do	July 19, 1949 ^{5 6}	5
Do	do	July 25, 1949 ^{5 6}	2
Wenke, Adolph E.	Lincoln, Nebr.	Dec. 6, 1949	7
Do ⁵	do	Dec. 12, 1949 ⁷	7
Do ⁵	do	Dec. 13, 1949 ⁷	4
Do ⁵	do	Jan. 18, 1950 ⁷	1
Do ⁵	do	Jan. 25, 1950 ⁷	1
Do ⁵	do	Feb. 3, 1950 ⁷	3
Do ⁵	do	Mar. 13, 1950 ⁸	1
Chappell, E. B. ⁵	Lincoln, Nebr.	June 14, 1950	9

THIRD DIVISION

Carmody, John M. ⁴	Washington, D. C.	Aug. 5, 1949	35
Whiting, Dudley E.	Detroit, Mich.	do	35
Connell, Charles S. ⁴	Chicago, Ill.	Oct. 6, 1949	37
Do	do	Nov. 8, 1949 ⁸	1
Stone, Mortimer ⁴	Denver, Colo.	do	43
Robertson, Francis J.	Washington, D. C.	Dec. 30, 1949	43
Carter, Edward F.	Lincoln, Nebr.	Jan. 5, 1950 ⁸	48
Do	do	Apr. 13, 1950 ⁸	41
Shake, Curtis G.	Vincennes, Ind.	Feb. 23, 1950 ⁸	24
Kelliher, Peter M. ⁴	Chicago, Ill.	Apr. 27, 1950	25
Begley, Thomas C.	Cleveland, Ohio.	May 31, 1950	30
Boyd, Robert O.	Portland, Oreg.	June 1, 1950	29
Parker, Jay S.	Topeka, Kans.	June 14, 1950	30

FOURTH DIVISION

Begley, Thomas C. ⁴	Cleveland, Ohio.	Aug. 23, 1949	10
Do	do	Nov. 1, 1949 ⁸	7
Do	do	Dec. 13, 1949 ⁸	5 5
Do	do	Feb. 8, 1950 ⁸	9
Do	do	Apr. 14, 1950 ⁸	14
Smith, Livingston ⁴	Dallas, Tex.	June 7, 1950	14

¹ Cases deadlocked under the jurisdiction of Conductors' and Trainmen's Supplemental Board, First Division, NRAB.

² To make interpretations of 2 awards which were handed down by Division without previous assistance of a referee.

³ Cases deadlocked under the jurisdiction of Engineers' and Firemen's Supplemental Board, First Division, NRAB.

⁴ Appointed for the first time during fiscal year 1950.

⁵ Selected by the NRAB Division.

⁶ Appointed by Addendum to Certificate of Appointment dated July 5, 1949.

⁷ Appointed by Addendum to Certificate of Appointment dated December 6, 1950.

⁸ At the request of the Division rendered interpretation of award in one case previously handed down by Referee Wenke.

⁹ Relinquished 2 cases upon request of the Division on January 19, 1950, prior to his service as referee.

2. AIRLINE ADJUSTMENT BOARDS

There is no National Adjustment Board for settlement of grievances of airline employees as for railway workers. Section 205 of the amended act provides for establishment of such a board when it shall be necessary in the judgment of the National Mediation Board. Although these provisions have been in effect since 1936, the Board has not deemed a national board necessary.

Gradually, over the years, as more and more crafts or classes of airline employees have established collective bargaining relationships, the employees and carriers have agreed upon grievance-handling procedures with final jurisdiction resting with a system board of adjustment. Such agreements usually provide for designation of neutral referees to break deadlocks. Where the parties are unable to agree upon a neutral to serve as referee the National Mediation Board is frequently called upon to name such neutrals. Such referees serve without cost to the Government and although the Board is not required to make such appointments under the law, it does so in the interest of promoting stable labor relations on the airlines. With the extension of collective bargaining relationships to most airline workers, the requests upon the Board to designate referees have increased very considerably. In the fiscal year 1950 the Board nominated referees to sit with airline adjustment boards in 20 separate instances.

The following tabulation gives the names and residences of all persons designated by the National Mediation Board to serve as referees with airline system boards of adjustment during the past year:

Referees appointed

AIRLINE SYSTEM BOARDS OF ADJUSTMENT

Name	Residence	Date of Nomination	Parties
Johnson, Glen D. ¹	Oklahoma City, Okla....	July 20, 1949	Northwest Airlines, Inc., and International Association of Machinists.
Finnegan, Joseph F.	New York, N. Y.	July 27, 1949	Pan American Airways, Inc., and Transport Workers Union of America, Atlantic Division. ²
Weeks, John A.	Minneapolis, Minn.	July 28, 1949	Northwest Airlines, Inc., and Air Line Stewards and Stewardesses Association, International.
Gallagher, Thomas F. ³	St. Paul, Minn.	Aug. 5, 1949	National Airlines, Inc., and Air Line Pilots Association, International.
Munro, Angus.	Dallas, Tex.	Aug. 23, 1949	Railway Express Agency, Inc., Brotherhood of Railway and Steamship Clerks. ⁴
Ullman, Gerald H.	New York, N. Y.	Sept. 14, 1949	Pan American Airways, Inc., and Transport Workers Union of America, CIO, Flight Radio Officers.
Schedler, Carl R.	Washington, D. C.	Sept. 21, 1949	Pan American Airways, Latin American Division, and Brotherhood of Railway and Steamship Clerks. ⁵
Munro, Angus.	Dallas, Tex.	Nov. 4, 1949	Robinson Airlines Corp., and Air Line Stewards and Stewardesses Association, International.
Wyckoff, Hubert ⁶	Watsonville, Calif.	Nov. 17, 1949	Air Line Pilots Association representing member Pilots of United Airlines and Western Air Lines. ⁶

See footnotes at end of table.

Referees appointed—Continued
SYSTEM BOARDS OF ADJUSTMENT

Name	Residence	Date of Nomination	Parties
Klamon, Dr. Joseph M. ¹	University City, Mo....	Dec. 6, 1949	Transcontinental & Western Air, Inc., and International Association of Machinists, District 142 (Kansas City, Mo.).
Robertson, Francis J.....	Washington, D. C.....	Nov. 22, 1949	Pan American Airways and Transport Workers Union of America.
Payne, William Howard.....	Washington, D. C.....	Jan. 13, 1950	Pan American Airways and Brotherhood of Railway and Steamship Clerks. ²
Machuco, Julio.....	San Juan, Puerto Rico....	Feb. 16, 1950	Caribbean Atlantic Airlines, Inc., and Transport Workers Union of North America.
Kelliher, Peter M. ³	Chicago, Ill.....	Feb. 21, 1950	Transcontinental & Western Air, Inc., and Airline Navigators Association.
Schedler, Carl R.....	Washington, D. C.....	Mar. 2, 1950	All American Airways, Inc., and International Association of Machinists.
Bradley, Phillips.....	Urbana, Ill.....	Mar. 13, 1950	United Airlines, Inc., and International Association of Machinists.
Lelserson, Dr. William M....	Washington, D. C.....	Apr. 4, 1950	Western Air Lines, Inc., and Brotherhood of Railway and Steamship Clerks.
Wallen, Saul.....	Boston, Mass.....	Apr. 18, 1950	National Airlines, Inc., and Air Line Pilots Association, International.
Groat, William B.....	New York, N. Y.....	May 19, 1950	Pan American World Airways, Inc., and International Association of Machinists.
Kelley, Rev. William J. ⁴	Washington, D. C.....	May 22, 1940	Capital Airlines, and International Association of Machinists.

¹ Nominated as arbitrator in accordance with provisions of an agreement between the parties.

² A Field Board of Adjustment.

³ Nominated as arbitrator in accordance with memorandum of agreement between parties dated November 24, 1948.

⁴ Express Board of Adjustment No. 1.

⁵ Nominated as neutral arbitrator to serve as 5th member on Special Board of Arbitration in accordance with agreement made between the parties in dispute.

⁶ Special Arbitration Board of the Air Line Pilots Association, International representing pilots of United Air Lines and Western Airlines.

⁷ Nominated as arbitrator in accordance with provisions of agreement of April 24, 1948, between parties.

⁸ Nominated as arbitrator in accordance with provisions of agreements dated February 17, 1949, and December 16, 1949, consummated between parties.

⁹ Nominated but did not serve due to disputes settled prior to serving as referee.

3. INTERPRETATION OF MEDIATION AGREEMENTS

Under section 5, second, of the Railway Labor Act, the National Mediation Board has the duty of interpreting the specific terms of mediation agreements. Requests for such interpretations may be made by either party to mediation agreements, or by both parties jointly. The law provides that interpretations must be made by the Board within 30 days following a hearing, at which both parties may present and defend their respective positions.

In making such interpretations, the National Mediation Board can consider only the meaning of the specific terms of the mediation agreement. The Board does not and cannot attempt to interpret the application of the terms of a mediation agreement to particular situations. This restriction in making interpretations under section 5, second, is necessary to prevent infringement on the duties and responsibilities of the National Railroad Adjustment Board under section 3 of title I of the Railway Labor Act, and adjustment boards set up under the provisions of section 204 of title II of the act in the airline industry. These sections of the law make it the duty of such

adjustment boards to decide disputes arising out of employee grievances and out of the interpretation or application of agreement rules.

In many instances mediation has resulted in the negotiation of new basic working agreements, and complete revisions of existing working agreements. It has been the view of this Board that disputes growing out of the application or interpretation of the rules of such agreements should be made by the appropriate adjustment boards, and not by the National Mediation Board under section 5, second, of the act.

During the fiscal year 1950, no requests were received by the Board for interpretation of mediation agreements.

VIII. ORGANIZATION AND FINANCES OF THE NATIONAL MEDIATION BOARD

1. ORGANIZATION

The National Mediation Board replaced the United States Board of Mediation and was established in June 1934 under the authority of the Railway Labor Act, as amended.¹

The Board is composed of three members, appointed by the President, by and with the advice and consent of the Senate. The terms of office, except in case of a vacancy due to an unexpired term, are for 3 years, the term of one member expiring on February 1 of each year. The act makes no provision for holding over beyond that date and requires that the Board shall annually designate one of its members to serve as chairman. Nor more than two members may be of the same political party. The Board's headquarters and office staff are located in the General Services Building, Washington, D. C., Eighteenth and F Streets, N. W. In addition to its office staff, the Board has a staff of mediators, who spend practically their entire time in field duty.

Subject to the Board's direction, administration of the Board's affairs is in charge of the secretary. While some mediation conferences are held in Washington, by far the larger portion of mediation services is performed in the field. Services of the Board consist of mediating disputes between the carriers and the representatives of their employees over changes in rates of pay, rules, and working conditions. These services also include the investigation of representation disputes among employees and the determination of such disputes by election or otherwise. These services as required by the Act are performed by members of the Board and its staff of mediators. In addition, the Board conducts hearings when necessary in connection with representation disputes to determine employees eligible to participate in elections and other issues which arise in its investigation of such disputes. The Board also conducts hearings in connection with the interpretation of mediation agreements, and appoints neutral referees and arbitrators as required.

The staff of mediators, all of whom have been selected through Civil Service, is as follows:

Ross R. Barr.
Robert F. Cole.
Clarence G. Eddy.
Lawrence Farmer.
Ross J. Foran.
Patrick D. Harvey.
James M. Holaren.
Cornelius E. Hurley.
Matthew E. Kearney.
James P. Kiernan.
Warren S. Lane.
Albert L. Lohm.

Geo. S. MacSwan.
Wm. F. Mitchell, Jr.
John F. Murray.
James E. Newlin.
Alexander D. Penfold.
C. R. Roadley.
Wallace G. Rupp.
Tedford E. Schoonover.
H. Albert Smith.
Frank K. Switzer.
Eugene C. Thompson.
Thomas A. Tracy.

John W. Walsh

¹ 46 U. S. C. A 151 et seq., 44 Stat. 577.

2. FINANCIAL STATEMENT

Accounting of all moneys appropriated by Congress for the fiscal year 1950, pursuant to the authority conferred by "An act to amend the Railway Labor Act approved May 20, 1926" (approved June 21, 1934)

Appropriations:	
Salaries and expenses	\$395, 725
Arbitration and emergency boards	175, 000
Total appropriations	<u>570, 725</u>
Obligations:	
Salaries, National Mediation Board	291, 313
Travel expenses	87, 000
Other expenses	17, 412
Total operating expenses	<u>395, 725</u>
Expenses Arbitration and Emergency Boards	<u>175, 000</u>
Grand total	<u>570, 725</u>

Annual expenditures for arbitration and emergency boards cannot be accurately budgeted due to fluctuations in the need for such boards. The extent of the disputes arbitrated or considered by emergency boards is also a factor which makes it virtually impossible to budget expenses of such boards with any degree of accuracy. Since the needs for such boards cannot be accurately anticipated, it is necessary to have available adequate funds to meet such contingencies as may arise.

APPENDIX A

NATIONAL RAILROAD ADJUSTMENT BOARD

(Created June 21, 1934)

JOHNSON, B. C., *Chairman*
ANDERSON, J. A., *Vice Chairman*

ALLISON, R. H.
BLAKE, R. W.
BOWEN, A. C.
BRINDLEY, J. P.
BURTNESSE, H. W.
CANNON, C. S.
COOK, C. C.
COYLE, F. W.
DUGAN, C. P.
DUGAN, GEO. H.
FEE, L. B.
FERRIS, A. R.
GREEN, T. L.
HASSETT, M. W.
HEMENWAY, HARRY ¹
HICKS, D. H.
HOLMES, W. O.

JONES, A. H.
KEALEY, C. W.
KEISER, W. C.
LOSEY, T. E.
ORNDORFF, GERALD
PECK, C. E.²
PURCELL, T. F.
RAY, R. F.³
REESER, H. J.
SARCHET, ROGER
SCHOCH, M. G.
SWAN, O. E.
SYLVESTER, J. H.
WALTHER, A. G.
WALTON, R. A.
WIESNER, E. W.
WRIGHT, GEORGE

SUPPLEMENTAL BOARDS

BORDWELL, H. V.
BRENNAN, RICHARD
HOGLUND, H. J.

MAGILL, J. E.
MILLER, D. A.
SOUTHWORTH, P. C.

STATEMENT

On June 21, 1934, by enactment of Public, No. 442, Seventy-third Congress, the National Railroad Adjustment Board was created to consider and make awards in the following classes of disputes:

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.

¹ Retired. Replaced by A. J. Cunningham.

² Retired. Replaced by M. E. Somerlott.

³ Retired. Replaced by J. E. Kemp.

Accounting of all moneys appropriated by Congress for the fiscal year 1950, 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..... \$468, 100. 00

Deficiency appropriation:

Salaries and Expenses, National Railroad Adjustment Board,
National Mediation Board..... 207, 700. 00

Total appropriated, fiscal year 1950..... 675, 800. 00

Expenditures:

Salaries of employees..... \$209, 242. 45
Salaries of referees..... 94, 141. 55
Travel expenses (including referees)..... 20, 015. 31
Transportation of things..... 124. 55
Communication services..... 5, 625. 83
Rent..... 120, 351. 87
Electric service..... 2, 417. 23
Printing and binding..... 69, 313. 22
Other contractual services..... 7, 797. 05
Supplies and materials..... 6, 645. 81
Equipment..... 28, 615. 30

Total expenditures..... 564, 290. 17

Transferred to appropriation National Mediation Board..... 35, 325. 00

Unexpended balance..... 76, 184. 83

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

ADMINISTRATIVE

Name	Title	Salary paid	Duties
Howard, Leland.....	Administrative officer.....	\$7, 046. 03	Subject to direction of Board, administers its Governmental affairs.
Dillon, Mary E.....	Actg. and aud. asst.....	3, 592. 14	Secretarial, stenographic, accounting, and auditing.
Tworek, Walter R.....	Clerk-steno.....	1, 359. 21	Stenographic and clerical.
Lachman, Sarah.....	Clerk-typist.....	1, 278. 08	Clerical.
Guglielmini, Dina.....	do.....	165. 87	Do.
Siegel, Wayne H.....	Clerk.....	2, 557. 84	Do.

FIRST DIVISION

McFarland, Thos. S.....	Executive secretary....	\$6, 797. 73	Administration of affairs of division and subject to its direction.
Frohning, Wm. C.....	Asst. exec. secretary....	5, 072. 50	Assists Executive Secretary.
Killeen, Bert F.....	Prin. clerk-steno.....	3, 925. 15	Digests and briefs cases and awards, takes hearings, etc.
Fostof, Evelyn F.....	Clerk-steno.....	3, 908. 22	Secretarial, stenographic, and clerical.
Smith, Margaret J.....	do.....	3, 908. 22	Do.
Blee, Ruth W.....	do.....	3, 806. 86	Do.
Ellwanger, Dorothy M.....	do.....	3, 642. 62	Do.
Karlcek, Mae J.....	do.....	3, 618. 57	Do.
Karl, Beverly R.....	do.....	3, 405. 79	Do.
Schnase, Julia T.....	do.....	3, 389. 59	Do.
Schroeter, Marie A.....	do.....	3, 425. 07	Do.
Johnson, Charlene M.....	do.....	3, 265. 82	Do.
Gates, Shirley V.....	do.....	3, 154. 63	Do.
Sinnott, Nancy J.....	do.....	3, 140. 20	Do.
Catanzaro, Lilly T.....	do.....	526. 29	Do.
Meehan, Elizabeth E.....	do.....	2, 949. 47	Do.
Szatowska, Jeanette T.....	do.....	1, 860. 47	Stenographic and clerical.
Terangle, Rhoda E.....	do.....	1, 822. 03	Do.
Fox, Doris S.....	Clerk.....	2, 469. 81	Clerical.

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

FIRST DIVISION—continued

Name	Title	Salary paid	Duties
REFEREES			
Boyd, Robert O., 64½ days at \$50.00 per day.	-----	\$3,237.50	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Bushnell, George E., 2¾ days at \$50.00 per day.	-----	137.50	Do.
Chappell, E. B., 8½ days at \$50.00 per day.	-----	425.00	Do.
Donaldson, J. Glenn, 46 days at \$50.00 per day.	-----	2,300.00	Do.
Gallagher, Thomas F., 15 days at \$50.00 per day.	-----	750.00	Do.
Gilden, Harold M., 67 days at \$50.00 per day.	-----	3,350.00	Do.
Jackson, Andrew, 14¾ days at \$50.00 per day.	-----	737.50	Do.
Klamon, Joseph M., 170 days at \$50.00 per day.	-----	8,500.00	Do.
Munro, Angus, 103¾ days at \$50.00 per day.	-----	5,187.50	Do.
Robertson, Francis J., 21½ days at \$50.00 per day.	-----	1,075.00	Do.
Rudolph, Herbert B., 31 days at \$50.00 per day.	-----	1,550.00	Do.
Thaxter, Sidney St. F., 84½ days at \$50.00 per day.	-----	4,225.00	Do.
Wenke, Adolph E., 51 days at \$50.00 per day.	-----	2,550.00	Do.
Yeager, John W., 60½ days at \$50.00 per day.	-----	3,025.00	Do.

FIRST DIVISION—SUPPLEMENTAL, C-T.

Baylog, Bette J.-----	Clerk-steno.-----	\$858.43	Secretarial, stenographic, and clerical.
Moyer, Mildred L.-----	do.-----	2,143.72	Do.
Rondebush, Ethel A.-----	do.-----	1,967.29	Do.
Smith, Joan M.-----	do.-----	2,074.57	Do.
Keenan, Patricia-----	do.-----	129.71	Stenographic and clerical.
Slattery, Teresa R.-----	do.-----	196.06	Do.
REFEREES			
Munro, Angus, 71 days at \$50.00 per day.	-----	3,550.00	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
O'Malley, Mart J., 65 days at \$50.00 per day.	-----	3,250.00	Do.

FIRST DIVISION—SUPPLEMENTAL, E-F.

Dugan, Jean M.-----	Clerk-steno.-----	\$119.22	Secretarial, stenographic, and clerical.
Fogelberg, Kay-----	do.-----	2,295.17	Do.
Gibbons, Alice M.-----	do.-----	1,454.58	Do.
Murphy, Rita-----	do.-----	2,931.14	Do.
Keenan, Patricia-----	do.-----	129.71	Stenographic and clerical.
Slattery, Teresa R.-----	do.-----	196.06	Do.
REFEREES			
Chappell, E. B., 39¼ days at \$50.00 per day.	-----	1,962.50	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Spencer, William H., 3 days at \$50.00 per day.	-----	150.00	Do.
Whiting, Dudley E., 45 days at \$50.00 per day.	-----	2,250.00	Do.

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

SECOND DIVISION

Name	Title	Salary paid	Duties
Mindling, John L.....	Executive secretary...	\$7,046.03	Administration of affairs of division and subject to its direction.
Lindberg, Robt. L.....	Clerk-steno.....	3,908.22	Secretarial, stenographic, and clerical.
Williams, Dorothy M.....	do.....	3,908.22	Do.
Bodenbender, Henry J.....	do.....	3,824.21	Do.
Glenn, Allise N.....	do.....	3,824.21	Do.
Morrison, Margaret E.....	do.....	3,824.21	Do.
Shaughnessy, Margaret.....	do.....	3,824.21	Do.
Stomner, Mary A.....	do.....	3,824.21	Do.
Vought, Marcella R.....	do.....	3,806.86	Do.
Sturman, Alta M.....	do.....	3,410.61	Do.
Watson, Muriel G.....	do.....	3,333.79	Do.
Fountaine, Dorothy T.....	do.....	3,072.86	Do.
REFEREES			
Chappell, E. B., 9 days at \$50.00 per day.	-----	450.00	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Donaldson, J. Glenn, 28 days at \$50.00 per day.	-----	1,400.00	Do.
Wenke, Adolph E., 30 days at \$50.00 per day.	-----	1,500.00	Do.

THIRD DIVISION

Tummon, A. Ivan.....	Asst. exec. secty.....	\$4,681.24	Acting secretary—administration of affairs of division and subject to its direction.
Groble, Agatha E.....	Clerk-steno.....	3,908.22	Secretarial, stenographic, and clerical.
Lightner, Hazel L.....	do.....	3,908.22	Do.
Morse, Frances.....	do.....	3,908.22	Do.
Anderson, Loreto C.....	do.....	3,806.86	Do.
Balskey, Clare V.....	do.....	3,715.42	Do.
Sanford, Jewel C.....	do.....	3,715.42	Do.
Anderson, Louise S.....	do.....	3,681.20	Do.
Miller, Kellogg B.....	do.....	3,560.34	Do.
Smith, Lois E.....	do.....	3,464.08	Do.
Killeen, Eugene A.....	do.....	3,227.34	Do.
Karlcek, Blanche R.....	do.....	3,169.09	Do.
Smith, Mollie.....	do.....	1,299.59	Do.
Keating, Patrick J.....	Clerk.....	2,573.19	Clerical.
REFEREES			
Begley, Thomas C., 25 days at \$50.00 per day.	-----	1,250.00	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Boyd, Robert O., 16 days at \$50.00 per day.	-----	800.00	Do.
Carmody, John M., 106½ days at \$43.70 per day.	-----	4,654.05	Do.
Carter, Edward F., 140¼ days at \$50.00 per day.	-----	7,012.50	Do.
Connell, Charles S., 78 days at \$50.00 per day.	-----	3,900.00	Do.
Douglas, James M., 4¼ days at \$50.00 per day.	-----	212.50	Do.
Elkouri, Frank, 2½ days at \$50.00 per day.	-----	125.00	Do.
Kelliher, Peter M., 15 days at \$50.00 per day.	-----	750.00	Do.
Parker, Jay S., 10 days at \$50.00 per day.	-----	500.00	Do.
Robertson, Francis J., 111½ days at \$50.00 per day.	-----	5,575.00	Do.
Shake, Curtis G., 26½ days at \$50.00 per day.	-----	1,325.00	Do.
Stone, Mortimer, 96¾ days at \$50.00 per day.	-----	4,837.50	Do.
Wenke, Adolph E., 68½ days at \$50.00 per day.	-----	3,425.00	Do.
Whiting, Dudley E., 33½ days at \$50.00 per day.	-----	1,675.00	Do.

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

FOURTH DIVISION

Name	Title	Salary paid	Duties
Parkhurst, Raymond B.	Executive secretary	\$7,046.03	Administration of affairs of division and subject to its direction.
Zimmerman, R. Hazel.	Clerk-steno.	3,908.22	Secretarial, stenographic, and clerical.
Humfreville, Muriel L.	do.	3,824.21	Do.
Adams, Henrietta V.	do.	3,657.05	Do.
REFEREES			
Begley, Thomas C., 88½ days at \$50.00 per day.	-----	4,425.00	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Elkourl, Frank, 1 day at \$50.00 per day.	-----	50.00	Do.
Munro, Angus, 40¼ days at \$50.00 per day.	-----	2,012.50	Do.
Sharfman, I. L., 1 day at \$50.00 per day.	-----	50.00	Do.

FIRST DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

39 South La Salle Street, Chicago 3, Ill.

B. C. JOHNSON, *Chairman*
O. E. SWAN, *Vice Chairman*
J. P. BRINDLEY ¹
H. W. BURTNESS
FRANK W. COYLE

GEORGE H. DUGAN
T. L. GREEN
C. W. Kealey
W. C. KEISER
H. J. REESER ²

ENGINEERS'—FIREMEN'S SUPPLEMENTAL BOARD

DON A. MILLER, *Chairman*
H. J. HOGLUND, *Vice Chairman*

P. C. SOUTHWORTH

CONDUCTORS'—TRAINMEN'S SUPPLEMENTAL BOARD

J. E. MAGILL, *Chairman*
H. V. BORDWELL, *Vice Chairman*

RICHARD BRENNAN

T. S. McFARLAND, *Executive Secretary*

JURISDICTION

The First Division took over the work of the four regional Train Service Boards, adding thereto the representation of many Carriers not parties to any of the regional boards, and also the Switchmen's Union of North America as parties to the 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.

ORGANIZATION

The First Division of the National Railroad Adjustment Board was established by Congress by Amendment (Public No. 442, 73rd Cong.), to the Railway Labor Act.

Pursuant to and in accordance with Section 3, Subdivision (u) of said Amendment, the First Division was organized on July 31, 1934, by the selection of a chairman, a vice chairman and a secretary.

The First Division consists of:

(1) The regular First Division—10 members—5 selected, designated and paid by the carriers, and 5 selected, designated and paid by 5 labor organizations of

¹ Succeeded C. E. Poland, resigned.

² Succeeded Sydney R. Prince, Jr., resigned.

railroad employees, national in scope, in accordance with the provisions of the Railway Labor Act;

(2) Engineers'-Firemen's Supplemental Board—three permanent members, one representing carriers, one representing Brotherhood of Locomotive Engineers, one representing Brotherhood of Locomotive Firemen and Enginemen and one additional carrier member representing the carrier whose cases are being considered, and serving on a temporary basis;

(3) Conductors'-Trainmen's Supplemental Board—three permanent members, one representing the Order of Railway Conductors, one representing the Brotherhood of Railroad Trainmen and one additional carrier member representing the carrier whose cases are being considered, and serving on a temporary basis.

The Carrier Members on the two Supplemental Boards are designated and paid by the Carriers and the Labor Members are designated and paid by the respective Labor Organizations they represent.

The two Supplemental Boards were created in accordance with the provisions of the Railway Labor Act and the following resolution adopted by the First Division on May 24, 1949: (The Conductors-Trainmen's met on October 10, 1949, and the Engineers'-Firemen's on October 17, 1949.)

"RESOLUTION

"Whereas, Section 3, First (w) of the Railway Labor Act authorizes any Division of the National Railroad Adjustment Board in its discretion to establish regional boards to act in its place and stead for such reasonable period as may be necessary and,

"Whereas, the First Division of the National Railroad Adjustment Board finds that it is necessary that such boards be established

"Therefore, be it resolved by the First Division of the National Railroad Adjustment Board that two such boards be, and they are hereby, established, consistent with the spirit of the memorandum signed at Chicago May 19, 1949, by the chiefs of the interested labor organizations and representatives of the railroads (attached, as an appendix, and made a part of this resolution) as follows:

"Two supplemental Boards of four men each are established under the provisions of Section 3 First (w) of the Railway Labor Act with authority to handle cases now on the docket of the First Division of the National Railroad Adjustment Board, assigned to them by such First Division, and such additional cases as may be assigned to them by such Division, as hereafter provided. One Board shall consist of one representative each appointed by the Brotherhood of Locomotive Engineers and Brotherhood of Locomotive Firemen and Enginemen, and two representatives appointed by the Carriers. The other Board shall consist of one representative each appointed by the Order of Railway Conductors and Brotherhood of Railroad Trainmen, and two representatives appointed by the Carriers.

"The Carrier Members of such Boards shall be designated in keeping with rules devised for this purpose by the Carrier Members of the Adjustment Board and the Labor Members shall be designated in keeping with rules devised for this purpose by the Labor Members of the Adjustment Board.

"Each of such Boards shall during the time for which it is appointed have the same authority to conduct hearings, make findings upon disputes and adopt the same procedure as the Division of the Adjustment Board appointing it, and its decisions shall be enforceable to the same extent and under the same processes. A neutral person, as referee, shall be appointed for service in connection with such adjustment Boards in the same circumstances and the same manner as provided in Section (3) First (1) of the Railway Labor Act.

"The members on such Boards may be changed from time to time. Representatives from any railroad involved in cases assigned to such Boards may be appointed as Board Members to handle cases coming from that railroad and members may be changed from time to time as the cases involve different railroads.

"Initially the First Division will assign cases which have not been certified for appointment of a referee from among railroad systems having ten or more cases on the docket involving employees represented by either or both of the Organizations on each Board respectively.

"Thereafter, from time to time the First Division will assign to such supplemental Boards cases from among railroad systems having ten or more cases docketed, in the same manner described in the preceding paragraph.

"Cases where the interest of an organization not represented on such supplemental Board is asserted by either party or by a member of the First Division, shall be retained by the First Division and shall not be assigned to such supplemental Board.

"Each of such Boards shall be located in Chicago, Illinois, meet regularly and continue in session so long as there is pending before it any case submitted for its consideration and which has not been disposed of.

"Each of said supplemental Boards shall be established for a period of one year, and thereafter subject to termination upon request of the Chief Executive Officers of the five operating organizations or the three regional Carrier Committees upon ninety days' notice."

Cases docketed and disposed of during fiscal year 1949-50

Number of cases pending on Docket July 1, 1949.....	¹ 2842
Number of cases received and docketed July 1, 1949—June 30, 1950.....	1766
	<hr/> 4608
Number of cases decided by issuing Awards:	
Without Referee.....	221
With Referee.....	669
	<hr/> 890
Withdrawn (no awards issued).....	548
	<hr/> 1438
Number pending June 30, 1950.....	3170
Number cases heard.....	None
Number cases deadlocked.....	913
Number cases heard and not decided: Heard, 468; Hearings waived, 1937..	2405
Number cases awaiting hearing.....	765
Total cases docketed to June 30, 1950.....	26233

¹ This figure does not include 414 cases received but not docketed.

TABLE I.—*Number of cases docketed during the fiscal year by the First Division classified as to carriers*

RAILROAD		
	Docketed	Docketed
Alabama Great Southern Railroad.....	1	Chicago, Milwaukee, St. Paul and Pacific Railroad—West... 16
Aliquippa and Southern Railroad	1	Chicago, North Shore and Milwaukee Railroad..... 1
Ann Arbor Railroad.....	2	Chicago, Rock Island and Pacific Railroad..... 4
Apache Railway.....	2	Chicago, St. Paul, Minneapolis and Omaha Railway..... 7
Atchison, Topeka and Santa Fe—Coast.....	106	Cincinnati Union Terminal Company..... 1
Atchison, Topeka and Santa Fe—East and West.....	43	Cleveland, Cincinnati, Chicago and St. Louis Railway..... 7
Atlanta Joint Terminals.....	1	Delaware and Hudson Railroad, Delaware, Lackawanna and Western Railroad..... 98
Atlantic Coast Line Railroad...	2	Denver and Rio Grande Western Railroad..... 25
Baltimore and Ohio Railroad...	72	Des Moines and Iowa Central Railway..... 1
Bangor and Aroostook Railroad...	1	Des Moines Union Railway..... 1
Bessemer and Lake Erie Railroad.....	2	Detroit and Mackinac Railway... 1
Boston and Maine Railroad.....	32	Duluth, Missabe and Iron Range Railway..... 28
Buffalo Creek Railroad.....	4	Elgin, Joliet and Eastern Railway..... 4
Central of Georgia Railway.....	24	Erie Railroad..... 2
Central Railroad of New Jersey...	14	Florida East Coast Railway... 7
Chesapeake and Ohio Railway...	4	Fort Worth and Denver City Railway..... 4
Chicago and Illinois Midland Railway.....	2	Georgia Railroad..... 6
Chicago and North Western Railway.....	6	Grand Trunk Western Railway... 29
Chicago, Burlington and Quincy Railroad.....	2	Great Northern Railway..... 15
Chicago Great Western Railway...	21	Green Bay and Western Railroad... 1
Chicago, Indianapolis and Louisville Railway.....	2	
Chicago, Milwaukee, St. Paul and Pacific Railroad—East...	12	
Chicago, Milwaukee, St. Paul and Pacific—Kansas City Sou. Jt. Agency.....	3	

TABLE I.—Number of cases docketed during the fiscal year by the First Division
classified as to carriers—Continued

RAILROAD—continued

	Docketed		Docketed
Gulf, Colorado and Santa Fe Railway.....	39	Pennsylvania Railroad—East- Central-West.....	1
Gulf, Mobile and Ohio Railroad.....	2	Pennsylvania Railroad—West.....	39
Illinois Central Railroad.....	23	Pennsylvania-Reading Seashore Lines.....	3
Illinois Northern Railway.....	1	Portland Terminal Company.....	1
Illinois Terminal Railroad.....	5	Port Terminal Railroad Associa- tion—Houston.....	1
Indianapolis Union Railway.....	1	Reading Company.....	9
International-Great Northern Railroad.....	2	St. John's River Terminal Rail- road.....	1
Jacksonville Terminal Company.....	1	St. Joseph Union Depot Com- pany.....	1
Kansas City Southern Railway.....	19	St. Louis, Brownsville and Mexico Railway.....	7
Kentucky and Indiana Terminal Railroad.....	7	St. Louis-San Francisco Railway.....	6
Lehigh and New England Rail- road.....	8	St. Louis-Southwestern Railway.....	14
Lehigh Valley Railroad.....	33	Sacramento Northern Railway.....	1
Long Island Railroad.....	10	San Antonio, Uvalde and Gulf Railroad.....	3
Los Angeles Junction Railway.....	5	San Diego and Arizona Eastern Railway.....	6
Louisville and Nashville Rail- road.....	4	Seaboard Air Line Railroad.....	4
Maine Central Railroad.....	2	Southern Pacific Company of Mexico.....	2
Manufacturers' Railway.....	1	Southern Pacific—Pacific.....	301
Meridian and Bigbee River Rail- way.....	1	Southern Pacific—Texas and Louisiana.....	44
Michigan Central Railroad.....	3	Southern Railway.....	14
Minneapolis, St. Paul and Sault Ste. Marie Railroad.....	1	Spokane, Portland and Seattle Railway.....	2
Mississippi and Skuna Valley Railroad.....	1	State Belt Railroad of California.....	3
Missouri-Kansas-Texas Rail- road.....	10	Staten Island Rapid Transit.....	1
Missouri Pacific Lines.....	32	Tennessee Central Railway.....	9
Nashville, Chattanooga and St. Louis Railway.....	1	Terminal Railroad Association of St. Louis.....	3
New Orleans Public Belt Rail- road.....	4	Texas-Mexican Railway.....	2
New Orleans, Texas and Mexico Railway.....	2	Texas and Pacific Railway.....	108
New York Central—East.....	25	Texas and Pacific—Missouri Pacific Terminal Railroad of New Orleans.....	2
New York Central—Ohio Central.....	4	Union Pacific Railroad—Central District.....	3
New York Central—West.....	5	Union Pacific Railroad—Eastern District.....	9
New York, Chicago and St. Louis Railroad.....	21	Union Pacific Railroad—South Central District.....	50
Norfolk Southern Railway.....	5	Union Pacific Railroad—South- western District.....	2
Norfolk and Western Railway.....	4	Union Railroad—Pittsburgh.....	7
Northern Pacific Railway.....	24	Union Railway—Memphis.....	1
Northern Pacific Terminal Com- pany of Oregon.....	5	Virginian Railway.....	35
Northwestern Pacific Railroad.....	5	Wabash Railroad.....	36
Ogden Union Railway and Depot Company.....	5	Western Maryland Railway.....	9
Oregon, California and Eastern Railway.....	2	Western Pacific Railroad.....	5
Pacific Electric Railway.....	1		
Pennsylvania Railroad—Central	7		
Pennsylvania Railroad—East.....	47	Total.....	1,766

TABLE II.—Number of cases docketed during fiscal year by the First Division classified as to organizations

ORGANIZATION		
	Docketed	Docketed
Engineers-Firemen-Conductors-Trainmen.....	9	Firemen-Trainmen..... 9
Engineers-Firemen.....	117	Conductors..... 156
Engineers-Firemen-Trainmen.....	11	Conductors-Trainmen..... 40
Engineers-Conductors-Trainmen.....	1	Trainmen..... 587
Engineers.....	353	Switchmen's Union of North America..... 101
Firemen.....	374	Colored Trainmen of America..... 2
Firemen-Conductors.....	1	Individual..... 2
Firemen-Conductors-Trainmen.....	3	
		Total..... 1,766

SECOND DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

T. E. LOSEY, *Chairman*
J. A. ANDERSON, *Vice Chairman*
R. W. BLAKE
A. C. BOWEN
C. S. CANNON

M. W. HASSETT
M. E. SOMERLOTT ¹
A. G. WALTHER
E. W. WIESNER
GEORGE WRIGHT

J. L. MINDLING, *Executive Secretary*

JURISDICTION

Second Division: To have jurisdiction over disputes involving machinists, boilermakers, 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 ten members, five of whom shall be selected by the carriers and five by the national labor organizations of the employees.

Report of cases handled by the Second Division, fiscal year ending June 30, 1950

	Number of cases		Number of cases
Docketed.....	63	Decided:	
Heard.....	75	Decided without Referee...	21
Decided.....	66	Withdrawn.....	11
Decided with Referee.....	45	Deadlocked.....	51

In addition to the regular docketed cases, this Division has been called upon to handle a substantial volume of potential cases. Many of the communications received were from correspondents asking information as to the method and procedure necessary to properly present cases to the Division. Others recite complaints of alleged violations of rules in existing agreements, while others made an attempt to file cases with the Division from properties on which System Boards of Adjustment exist, and still others presented disputes that may develop into cases that should properly be referred to this Division for adjudication.

These potential cases, sixty-eight (68) in number, developed during the fiscal year ending June 30, 1950, and in addition much correspondence was carried on in connection with similar potential cases listed in our report of the previous fiscal year. Many of these required special study and consideration which involved a great amount of correspondence and consumed a considerable portion of the time of the Division in an effort to secure the information necessary to direct the proper presentation and/or handling of these matters to a conclusion.

¹ Appointed to succeed C. E. Peck, October 1, 1949.

*Report of cases handled by the Second Division, fiscal year ending June 30, 1950—
Continued*

CARRIERS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
Aliquippa and Southern Railroad Company-----	1	Gulf, Mobile and Ohio Railroad-----	1
American Refrigerator Transit Company-----	1	Illinois Central Railroad-----	3
The Atchison, Topeka and Santa Fe Railway Company-----	4	Illinois Terminal Railroad Company-----	1
Atlantic Coast Line Railroad-----	1	Kansas City Southern Railway-----	2
Baltimore and Ohio Railroad-----	1	Lake Terminal Railroad-----	1
Boston and Maine Railroad-----	1	The Long Island Railroad Company-----	2
Chicago and Eastern Illinois Railroad-----	3	Louisiana and Arkansas Railway-----	1
Chicago and North Western Railway Company-----	2	Louisville and Nashville Railroad Company-----	4
Chicago, Burlington and Quincy Railroad-----	1	Midland Valley Railroad-----	1
Chicago, Indianapolis and Louisville Railway Company-----	2	Missouri Pacific Railroad-----	6
Chicago, Milwaukee, St. Paul and Pacific Railroad-----	1	Montour Railroad-----	1
Chicago, St. Paul, Minneapolis and Omaha Railway-----	1	The Nashville, Chattanooga and St. Louis Railway-----	2
The Denver and Rio Grande Western Railroad Company-----	3	New York Central Railroad-----	2
Erie Railroad-----	1	Northern Pacific Railway-----	1
Florida East Coast Railway-----	1	Pittsburgh, and Lake Erie Railroad-----	4
Gulf, Colorado and Santa Fe Railway Company-----	1	Southern Pacific Lines in Texas and Louisiana (T. & N. O.)-----	2
		The Texas and Pacific Railway Company-----	2
		Union Pacific Railroad-----	2
		Total-----	63

ORGANIZATIONS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
Brotherhood Railway Carmen of America-----	24	International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America-----	2
Federated Trades-----	2	International Brotherhood of Electrical Workers-----	5
Individually submitted cases, etc-----	6	International Brotherhood of Firemen and Oilers Roundhouse and Shop Laborers-----	7
International Association of Machinists-----	14	Sheet Metal Workers' International Association-----	3
International Brotherhood of Blacksmiths, Drop Forgers and Helpers-----	0	Total-----	63

THIRD DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

J. H. SYLVESTER, *Chairman*
C. P. DUGAN, *Vice Chairman*
R. H. ALLISON
C. C. COOK
A. J. CUNNINGHAM
HUGO ERNST ¹
A. R. FERRIS

H. HEMENWAY ²
A. H. JONES
J. E. KEMP
GERALD ORNDORFF
R. F. RAY ³
ROGER SARCHET

A. I. TUMMON, *Acting Executive Secretary*

JURISDICTION

Third Division: To have jurisdiction over disputes involving station, tower and telegraph employees, train dispatchers, maintenance of way men, clerical

¹ Hugo Ernst replaced by A. R. Ferris September 23, 1949.

² H. Hemenway replaced by A. J. Cunningham September 1, 1949.

³ R. F. Ray replaced by J. E. Kemp November 1, 1949.

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, fiscal year 1950

	<i>Number of cases</i>		<i>Number of cases</i>
Open and on hand July 1, 1949	362	Deadlocked	422
Docketed	420	Decided by referee	412
Heard	332	Open and on hand June 30, 1950	328
Decided	¹ 455	Interpretations	10
Withdrawn	32		

¹ Award Nos. 3999 and 4471 on docket SG-3597.

CARRIERS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
Atchison, Topeka & Santa Fe	22	Long Island	8
Atlanta & West Point	3	Los Angeles Union Passenger	
Atlantic Coast Line	3	Terminal	1
Baltimore & Ohio	5	Maine Central	3
Boston & Maine	10	Minneapolis & St. Louis	1
Central of Georgia	3	Missouri-Kansas-Texas	7
Central Railroad of New Jersey	1	Missouri Pacific Lines	4
Chesapeake & Ohio	12	Missouri Pacific Railroad	19
Chesapeake & Ohio (Pere Marquette)	2	Monongahela	1
Chicago & Eastern Illinois	7	New York, Chicago & St. Louis	2
Chicago & North Western	11	New York, Ontario & Western	3
Chicago Great Western	1	New York Central	29
Chicago, Indianapolis & Louisville	2	Northern Pacific	9
Chicago, Milwaukee, St. Paul & Pacific	7	Northwestern Pacific	1
Chicago, Rock Island & Pacific	3	Pittsburgh & Lake Erie	1
Chicago, St. Paul, Minneapolis & Omaha	1	Pittsburgh & West Virginia	13
Clinchfield	5	Pennsylvania	30
Colorado & Southern	3	Pullman Company	17
Delaware & Hudson	10	Reading	1
Delaware, Lackawanna & Western	18	Seaboard Air Line	4
Erie	11	St. Joseph Union Depot	2
Florida East Coast	1	St. Louis-San Francisco	1
Fruit Growers Express	1	St. Louis Southwestern	8
Gulf Coast-IGN	7	Southern	1
Gulf, Mobile & Ohio	5	Southern Pacific (Pacific Lines)	10
Grand Central Terminal	2	Southern Pacific (Texas & Louisiana)	4
Great Northern	6	Spokane, Portland & Seattle	3
Harbor Belt Line	1	Staten Island Rapid Transit	2
Hudson & Manhattan	1	Terminal Railroad Association of St. Louis	5
International Great Northern	3	Texas & Pacific	4
Illinois Central	18	Tucson, Cornelia & Gila Bend	1
Kansas City Southern	1	Union Pacific	8
Kansas City Terminal	6	Virginian	2
Lake Terminal	1	Western Weighing & Inspection Bureau	1
Lehigh Valley	11	Western Pacific	10
		Total	420

Report of cases handled by the Third Division, fiscal year 1950—Continued

ORGANIZATIONS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
American Train Dispatchers Association.....	12	Brotherhood of Sleeping Car Porters.....	13
Brotherhood of Maintenance of Way Employees.....	73	Joint Council Dining Car Employees.....	27
Brotherhood of Railroad Signalmen of America.....	23	The Order of Railroad Telegraphers.....	104
Brotherhood of Railroad Trainmen.....	5	Order of Railway Conductors (Pullman System).....	5
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.....	158	Total.....	420

FOURTH DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

R. A. WALTON, <i>Chairman</i>	W. O. HOLMES
H. J. REESER, <i>Vice Chairman</i> ¹	T. F. PURCELL
L. B. FEE	M. G. SCHUCH
D. H. HICKS ²	

R. B. PARKHURST, *Executive Secretary*

JURISDICTION

"Fourth Division: To have 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." (Paragraph (h), Section 3, First, Railway Labor Act, 1934.)

Report of cases handled by the Fourth Division for the fiscal year ending June 30, 1950

	<i>Number of cases</i>		<i>Number of cases</i>
Open and on hand beginning fiscal year.....	33	Open cases on hand close of fiscal year.....	22
New cases docketed during fiscal year.....	103	Heard.....	17
Total number cases on hand and docketed during fiscal year....	136	Not heard.....	5
Cases disposed of during fiscal year.....	114	Cases heard during fiscal year....	74
Decided without Referee....	21	Cases deadlocked during fiscal year.....	57
Decided with Referee.....	62	Interpretations issued during fiscal year.....	3
Withdrawn.....	31	Issued without Referee.....	0
		Issued with Referee.....	3

¹ Resigned December 31, 1949, to accept appointment Member, First Division; replaced by D. H. Hicks March 1, 1950.

² Elected Vice Chairman to fill unexpired term of H. J. Reeser.

*Report of cases handled by the Fourth Division for the fiscal year ending June 30,
1950—Continued*

CARRIERS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
Atchison, Topeka and Santa Fe Railway Company-----	14	Indiana Harbor Belt Railroad---	2
Boston and Maine Railroad-----	1	Louisville & Nashville Railroad Company-----	1
Chesapeake and Ohio Railway Company-----	2	Missouri Pacific Railroad Com- pany-----	1
Chicago & Western Indiana Railroad Company-----	1	Minneapolis, St. Paul & Sault Ste. Marie Railroad Company--	1
Chicago, Burlington & Quincy Railroad Company-----	12	New York Central Railroad Company-----	13
Chicago Great Western Railway Company-----	2	Northern Pacific Railway Com- pany-----	3
Chicago Junction Railway (C. R. & I. R. R. Co., Lessee)-----	1	Ogden Union Railway and Depot Company-----	4
Chicago, Milwaukee, St. Paul and Pacific Railroad Company-----	4	Pennsylvania Railroad Com- pany-----	8
Chicago, Rock Island and Pacific Railroad Company-----	1	Pullman Company-----	1
Chicago, St. Paul, Minneapolis & Omaha Railway Company--	1	Seaboard Air Line Railroad Com- pany-----	3
Delaware, Lackawanna and Western Railroad Company--	4	South Buffalo Railway Com- pany-----	1
Florida East Coast Railway Com- pany-----	1	Southern Pacific Company (Paci- fic Lines)-----	5
Grand Trunk Western Railroad Company-----	1	Southern Pacific Lines in Texas and Louisiana (T. & N. O.)---	2
Gulf, Colorado and Santa Fe Railway Company-----	1	Terminal Railroad Association of St. Louis-----	3
Gulf, Mobile and Ohio Railroad Company-----	1	Union Pacific Railroad Com- pany-----	4
Illinois Central Railroad Com- pany-----	2	Wabash Railroad Company-----	2
		Total-----	103

ORGANIZATION—EMPLOYEES PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
American Railway Supervisors' Association, Inc-----	6	Railway Patrolmen's Interna- tional Union, A. F. of L., successor to National Council,	
Brotherhood of Railroad Train- men-----	2	Railway Patrolmen's Unions, A. F. of L-----	17
Brotherhood of Sleeping Car Porters-----	4	Railway Yardmasters of Amer- ica-----	67
Great Lakes Licensed Officers' Organization, F. A. A-----	1	Railway Yardmasters of North America, Inc-----	4
Miscellaneous Classes of Em- ployees-----	1		
Order of Railway Conductors---	1	Total-----	103

APPENDIX B

NEUTRAL ARBITRATORS

Under section 7, second (a), the National Mediation Board is required to name the neutral third arbitrator if the party arbitrators fail to name the third arbitrator within five days after their first meeting. A list of the neutral arbitrators named under this provision during the fiscal year 1950 is as follows: Also listed below are the names of neutral arbitrators named by the Board to serve on Special Boards of Adjustment created to dispose of grievance dockets on individual railroads.

Arbitrators appointed—Arbitration boards

Name	Residence	Date of appointment	Arbitration and case number	Parties
Carmody, John M. ¹	Washington, D. C....	July 29, 1949 ² ..	Arb.123, A-3155.	<i>The Pittsburgh & Lake Erie R. R. Co.-The Lake Erie & Eastern R. R. Co. vs. Industrial Union of Marine and Shipbuilding Workers of America (CIO).</i>
Payne, William Howard. ¹	.....do.....	Sept. 8, 1949....	Arb. 124, A-3170.	<i>Pan American Airways, Inc. vs. International Association of Machinists.</i>
Swacker, Frank M.....	New York City, N. Y.	Sept.29, 1949 ²	Arb. 127.....	<i>The Central R. R. Co. of New Jersey and Central R. R. Co. of Pennsylvania vs. Brotherhood of Railroad Trainmen.</i>
McCoy, Whitley ¹	University, Ala.....	Sept. 30, 1949 ²	Arb.125, A-3160.	<i>American Overseas Airlines, Inc. vs. American Overseas Airlines Chapter of Flight Engineers International Association.</i>
Lelerson, Dr. William M.	Washington, D. C....	Oct. 17, 1949 ¹ ..	Arb. 97, A-2659.	<i>Northwest Airlines, Inc. vs. International Association of Machinists.</i>
Lapp, Dr. John A.....	Chicago, Ill.....	Oct. 24, 1949 ² ..	Arb. 126, A-3162.	<i>Pan American Airways, Inc. vs. Air Line Dispatchers Assn.</i>
Giardino, Alfred.....	New York City, N. Y.	Oct. 25, 1949....	Arb. 128, A-3180.	<i>Pan American Airways, Inc. vs. Transport Workers Union of America, CIO.</i>
Swacker, Frank M.....	.....do.....	Oct. 25, 1949 ²	Arb. 129.....	<i>Detroit, Toledo and Ironton R. R. Co. vs. Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen.</i>
Cole, David L.....	Newark, N. Y.....	Nov. 7, 1949 ² ..	Arb. 110, A-2864.	<i>The Pennsylvania R. R. Co. and Baltimore & Eastern R. R. Co. vs. Brotherhood of Railroad Signalmen of America.</i>
Swacker, Frank M.....	New York City, N. Y.	Jan. 5, 1950 ² ..	Arb. 131.....	<i>Union Railroad Co. vs. Brotherhood of Locomotive Engineers.</i>
Shake, Curtis G.....	Vincennes, Ind.....	Jan. 19, 1950....	Arb. 132.....	<i>The Lake Terminal R. R. Co. vs. Brotherhood of Railroad Trainmen.</i>
Bushnell, George E.....	Detroit, Mich.....	Jan. 27, 1950 ² ..	Arb. 57, A-1848.	<i>Atchison, Topeka and Santa Fe Ry. Co. et al. vs. Railroad Yardmasters of America.</i>
Danzansky, Joseph B. ¹ ..	Washington, D. C....	Feb. 13, 1950...-	Arb. 130, A-3245.	<i>Pan American Airways, Inc. vs. Flight Engineer Officers Assn.</i>
Yeager, John W.....	Lincoln, Nebr.....	Mar. 6, 1950....	Arb. 133.....	<i>Erie Railroad Co. vs. Brotherhood of Railroad Trainmen.</i>

See footnotes at end of table, p. 99.

Arbitrators appointed—Arbitration boards—Continued

Name	Residence	Date of appointment	Arbitration and case number	Parties
Valdes, Daniel T.....	Santa Fe, N. Mex...	Apr. 17, 1950..	Arb. 134, A-3315.	<i>Mid-Continental Airlines, Inc. vs. Brotherhood of Railway and Steamship Clerks.</i>
Payne, William Howard.	Washington, D. C..	May 3, 1950...	Arb. 135, A-3379.	<i>The Chesapeake & Ohio Ry. Co. vs. International Brotherhood of Blacksmiths, Drop Forgers and Helpers.</i>
Roll, Curtis W.....	Kokomo, Ind.....	May 15, 1950 ¹ .	Arb. 137, A-3354.	<i>The Delaware, Lackawanna & Western R. R. Co. vs. Switchmen's Union of North America.</i>
Gilden, Harold M.....	Chicago, Ill.....	May 26, 1950..	Arb. 136, A-3358.	<i>Northwest Airlines, Inc. vs. International Association of Machinists.</i>
Sugerman, Sidney ¹	New York City, N. Y.	June 6, 1950 ² ..	Arb. 139, A-3285.	<i>Pan American Airways, Inc. vs. Transport Workers Union of America.</i>

¹ Appointed for the first time as arbitrator under Railway Labor Act.

² Selected by the parties.

³ Reappointed to render an Interpretation of Award previously rendered by appointee.

Arbitrators appointed—Special boards of adjustment

Name	Residence	Date of appointment	Parties
O'Malley, Mart J....	Huntington, Ind....	Sept. 12, 1949....	The Chesapeake & Ohio Ry. Co. (Chesapeake District) and Brotherhood of Locomotive Firemen and Enginemen. ¹
Bushnell, George E...	Detroit, Mich.....	Apr. 6, 1950.....	The St. Louis-San Francisco Ry. Co., St. Louis, San Francisco & Texas Ry. Co. and Brotherhood of Railroad Trainmen. ²

¹ Identified as Special Board of Adjustment No. 2.

² Identified as Special Board of Adjustment No. 3.



