

Seventeenth
ANNUAL REPORT OF THE
NATIONAL
MEDIATION
BOARD

INCLUDING
THE REPORT OF THE
NATIONAL RAILROAD
ADJUSTMENT BOARD



For the Fiscal Year Ended JUNE 30, 1951

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NATIONAL MEDIATION BOARD

Fiscal year ended June 30, 1951

JOHN THAD SCOTT, Jr. *Chairman*

FRANCIS A. O'NEILL, Jr.

LEVERETT EDWARDS¹

THOMAS E. BICKERS, *Secretary*²

¹ Selected as Chairman, July 1, 1951.

² Deceased September 19, 1951. Eugene C. Thompson appointed September 25, 1951.

LETTER OF TRANSMITTAL

NATIONAL MEDIATION BOARD,
OFFICE OF THE CHAIRMAN,
Washington, D. C., November 1, 1951.

*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 Seventeenth Annual Report of the National Mediation Board for the fiscal year ended June 30, 1951, together with the annual report of the National Railroad Adjustment Board, as required by section 3, first (v), of the same act.

LEVERETT EDWARDS,
Chairman.

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SEVENTEENTH ANNUAL REPORT
OF THE
NATIONAL MEDIATION BOARD

I. SUMMARY AND OBSERVATIONS

1. GENERAL

The fiscal year ended June 30, 1951, also closed the seventeenth year of the operations of the National Mediation Board under the Railway Labor Act, as amended in 1934, and the twenty-fifth year since the original act became effective in 1926. The jurisdiction of the Board was confined to common carrier railroads, express and sleeping car companies under the 1926 law, but was extended to include common carriers by air in an amendment approved April 10, 1936. This amendment is known as title II of the Railway Labor Act, title I being the original law, passed in 1926 and amended in 1934, relating only to common carriers by rail and their owned or controlled subsidiaries, the latter excluding highway transportation.

The Railway Labor Act charges the National Mediation Board with the duty of assisting the carriers by rail and air, and the labor organizations representing their employees, to maintain industrial peace in these industries. The transportation of people and goods, as well as mail, between the various parts of our country is one of the most vital parts of the Nation's business. Without it, the cities would soon lack means of subsistence, and the economy of the Union would soon come to a standstill. One has only to recall the creeping paralysis which affected the Nations' normal activities during the short Nation-wide strike of 1946 on the railroads to realize the extreme importance of maintaining labor relations in the transportation field in a manner that will insure the uninterrupted flow of traffic in the transport of persons and commodities. The present Railway Labor Act is the result of national legislation in the field of regulating labor relations extending over 60 years.

In general, the work of the National Mediation Board falls into two main categories:

(1) The mediation of disputes between labor and management involving changes proposed by either or both in rates of pay, and rules or working conditions governing employment.

(2) The designation of collective bargaining agents for the employees when disputes arise among them as to the proper representative of the various crafts or classes for the purposes of the Railway Labor Act.

Additional duties of the Board are the interpretation of agreements made in mediation, when requested by one or both of the parties to a mediation agreement; the appointment of referees to sit with the several divisions of the National Railroad Adjustment Board; the appointment of neutrals in arbitrations held under the act, when the

party arbitrators are unable to agree upon a neutral; and the duty of reporting situations to the President of the United States when in the judgment of the Board, a dispute between a carrier and its employees threatens to substantially interrupt interstate commerce to such a degree as to deprive any section of the country of essential transportation service. In such instances, the President, in his discretion, may appoint an Emergency Board to consider the issues in dispute and make its report to him.

There are approximately 1,295,570 employees of the 783 common carriers by rail, and approximately 83,000 persons employed by the 50 common air carriers reporting to the Civil Aeronautics Board. These employees are covered by more than 5,000 labor agreements on file in the offices of this Board.

2. STRIKES AND THREATENED STRIKES

Fiscal year 1951 saw the largest number of actual work stoppages by rail- and air-carrier employees of any year since the Railway Labor Act was passed in 1926, there being 24 such stoppages of record during this period. There were also many threatened strikes during the year, most of which were disposed of through the efforts of the National Mediation Board before the stage of actual emergency was reached. Others were settled following hearings and reports by emergency boards created under section 10 of the act.

With two notable exceptions, most of the actual strikes occurred on individual carriers, being conducted by single organizations, and were in the main brought about by disagreements on issues localized on the various properties. Divided into the main categories, the following tabulation shows the principal causes of the 24 strikes which took place during the past fiscal year:

Wage-increase demands.....	12
Disputes over working conditions.....	6
Forty-hour week and rules changes.....	2
Application of discipline.....	1
Grievances and time claims.....	1
Dispute over force reduction.....	1
Application of agreement rules.....	1
Total.....	24

A tabulation of the actual strikes occurring during the fiscal year 1951 follows:

Strikes in the railroad and airline industries, fiscal year 1951

Case No.	Carrier	Organization	Craft or class	Duration (days)	Disposition	Issues
A-3417	Chicago Great Western Ry., Denver & Rio Grande Western R. R., Great Northern R. R., Western Pacific R. R., Chicago Rock Island & Pacific R. R.	Switchmen's Union of North America.	Yardmen.....	11	Employees returned to work by direction of organization.	Requested wage increase and 40-hour workweek.
RR A-3430	Toledo, Lorain & Fairport Dock Co., and the Toledo Lakeport Dock Co.	International Longshoremen's Association.	Dock workers.....	14	Organization directed by court injunction to order employees to return to work. Agreement between the parties after Presidential Emergency Board report.	Do.
A-3509	Birmingham Southern Ry. Co.	Brotherhood of Locomotive Firemen and Enginemen.	Locomotive firemen and engineers.	28	Mediation agreement and an arbitration agreement.	Wage increase and increased vacation allowance.
RR A-3526	Railway Express Agency, Inc.	International Brotherhood of Teamsters, Locals 458 and 808.	Express workers.....	2	Mediation agreement and an arbitration agreement.	Request for increase in rates of pay—40-hour week—additional pay for use of radios on locomotives.
RR A-3558	Macon, Dublin & Savannah Ry.	Brotherhood of Locomotive Firemen and Enginemen.	Locomotive firemen.....	20	Agreement between parties after Presidential Emergency Board report.	Wage increase and rules changes.
LA A-3564	Transocean Air Lines.....	Flight Radio Officers Association, TWU-CIO.	Flight radio officers.....	4	Mediation agreement.....	Application of engineers and firemen's mileage rules.
RR A-3575	Southern Ry. Co. (Birmingham, Ala.).	Brotherhood of Railroad Trainmen.	Yardmen.....	5	Employees returned to work—request National Mediation Board to maintain status quo.	Carriers' proposed use of radiotelephones.
RR A-3578	Birmingham Southern Ry.....	do.....	Yard conductors.....	1	Agreement between the parties.	Wildcat strike—grievances exact differences never ascertained.
RR A-3693	Cambria & Indiana R. R.....	United Steelworkers of America, CIO.	Shopmen and maintenance-of-way employees.	7	Mediation agreement.....	Request for wage increase of 23 cents per hour with continuation of 48-hour week.
LA A-3601	Trans Texas Airways, Inc.....	International Association of Machinists.	Machinists and helpers.....	6	Agreement between the parties after mediation.	Negotiation of an agreement.
RR A-3641	Chicago, Aurora & Elgin Ry..	Brotherhood of Railway Clerks. Order of Railroad Telegraphers. Brotherhood of Railroad Signalmen of America.	Clerical..... Telegraphers..... Signalmen.....	2	Mediation agreement.....	Wage increase and rule changes.
LA A-3702	United Air Lines, Inc.....	Air Line Pilots Association....	Pilots and copilots.....	41	do.....	Requested wage increase, 40-hour workweek, and other rule changes.
				10	Employees returned to work under terms of a memorandum agreement worked out during mediation proceedings.	Unsettled dispute between parties re mileage limitations and other requested rule changes.

¹ Indicates some of the duration days were in fiscal year of 1950 and balance in fiscal year of 1951.

Strikes in the railroad and airline industries, fiscal year 1951—Continued

Case No.	Carrier	Organization	Craft or class	Duration (days)	Disposition	Issues
RR C-1805	Monongahela Connecting R. R.	United Steelworkers of America, CIO, Local No. 2203.	Shopmen-----	1	Agreement between the parties.	Increase in rates of pay.
RR C-1828	Hudson & Manhattan R. R.	Brotherhood of Locomotive Engineers.	Motormen-----	1	do-----	Grievances and time claims.
RR C-1837	Southern Ry., St. Louis-San Francisco & Texas Ry. & Louisville & Nashville R. R. (Birmingham Terminal only).	Brotherhood of Railroad Trainmen.	Yardmen-----	2	Employees directed by organization to return to work.	Unauthorized strike—wage increase and 40-hour workweek.
RR C-1841	Unity R. R. Co.	Unaffiliated local union.	Maintenance-of-way employees.	4	Agreement between the parties worked out at suggestion of mediator.	Wage increase.
RR C-1843	Lake Terminal R. R.	Brotherhood of Railroad Trainmen.	Yardmen-----	8	Employees returned to work after an agreement was reached on a discipline case.	Discipline applied to a yard conductor.
RR C-1847	Copper Range R. R.	Brotherhood of Maintenance of Way Employees.	Maintenance-of-way employees.	1	Agreement between the parties.	Increase in rates of pay.
RR C-1848	Railroad terminals various carriers (large number).	Brotherhood of Railroad Trainmen.	Yardmen-----	3	Federal injunction secured by the Army, employees then returned to work.	Sick strike—requested wage increase and 40-hour week. Recommendation of Emergency Board rejected.
				14	Employees returned to work after Federal court action had been taken in several districts under injunction. Secretary of Army directed men to return to work or lose their seniority rights.	Do.
RR C-1871	Meridian & Bigbee River R. R.	Brotherhood of Locomotive Firemen and Enginemen. Brotherhood of Railroad Trainmen and Brotherhood of Maintenance of Way Employees.	Locomotive engineers and firemen, road brakemen and conductors, and maintenance-of-way employees.	3	Employees returned to work by direction of the organizations.	Requested wage increase and reduction in hours.
RR C-1897	Pan American World Airways System. Southern Ry. (Knoxville, Tenn.).	Transport Workers Union, CIO. Brotherhood of Railroad Trainmen.	Mechanics and helpers. (New York City only.) Yardmen-----	2	Agreement between the parties.	Force reduction of 98 employees.
				2	do-----	Employees on second and third shifts claimed unsafe working conditions around car retarder system.
RR	Conemaugh & Black Lick R. R.	United Steelworkers of America, CIO.	Shopmen and Maintenance-of-way employees.	1	do-----	Requested changes in rules and working conditions.
RR	Tennessee Coal & Iron R. R. Co. (Birmingham, Ala.).	do-----	Nonoperating crafts-----	17	do-----	Requested increase in rates and pay.

For many years it has been the policy of the National Mediation Board not to accept for mediation, disputes which are properly referable to the National Railroad Adjustment Board under section 3 of the act. However, where the Board has advice that a strike will occur over such issues, mediatory services are sometimes proffered under section 5 (b) of the act, which gives the Board such authority in case any labor emergency is found to exist, without regard to the issues which caused the emergency. The number of situations in which such proffers were made during the past year declined considerably, a large part of this decline being brought about by the seizure of the principal rail carriers and their operation by the Department of the Army on August 27, 1950. These rail carriers were still under Army operations at the close of the fiscal year.

The two most serious strikes occurring during the past year had their inception in the 40-hour-week movement of yard service employees of the rail carriers inaugurated by the Switchmen's Union of North America and the Brotherhood of Railroad Trainmen. The circumstances involving these work stoppages are described in more detail in a succeeding section of this chapter.

Three other strikes of considerable duration occurred during the fiscal year 1951 which are briefly outlined as follows:

Case A-3526.—Members of Locals 459 and 808 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers employed by the Railway Express Agency in the New York metropolitan area went on strike on September 22, 1950. The question in dispute included a demand for wage increases, various rule changes, including request for \$1,000 life insurance and Blue Cross Hospitalization and an increase of \$50 per month retirement over and above that provided for in the Railroad Retirement Act. This stoppage involved approximately 2,000 employees and the efforts of the Board to get them to return to work and mediate the dispute were unavailing.

The dispute was referred to a Presidential Emergency Board created under Section 10 of the Railway Labor Act. The employees returned to duty at 12:01 a. m., October 13, 1951, through the efforts of the Members of the Emergency Board, who reported their findings to the President of the United States on November 2, 1950.

Case A-3641.—Members of the Brotherhood of Railway & Steamship Clerks, Order of Railroad Telegraphers and Brotherhood of Railroad Signalmen of America, employed by the Chicago, Aurora & Elgin Railway Co., created a work stoppage on January 29, 1951.

The question in dispute was refusal of the carrier to apply an Emergency Board report on the application of the 40-hour week.

This dispute was mediated by a representative of the National Mediation Board and the employees returned to duty on March 11, 1951.

Case A-3702.—Airline pilots employed by United Airlines, Incorporated, represented by the Air Line Pilots Association, International, created a work stoppage among approximately 900 pilots and copilots on June 19, 1951.

The dispute involved the question of agreement revision and a new method of arriving at basic pay for flying DC-6-B's.

The employees returned to work on June 29, 1951, under the provisions of a memorandum of understanding resulting from mediation proceeding by a representative of the National Mediation Board. It was agreed the pilots would return to service to afford this Board an opportunity to attempt to mediate the dispute. At the close of the fiscal year, June 30, 1951, this dispute was in the process of mediation.

The Railway Labor Act as it was enacted in 1926 was placed on the statute books bearing the joint stamp of approval of the rail managements and the railroad labor organizations. The Board feels that the principles of negotiation, mediation, and arbitration established in the law have not lost their value during the passage of the years. This feeling is borne out by the report of the Senate Committee on Labor and Public Welfare, which recently investigated and reported on the

national dispute over wages and rules involving the major rail carriers and the four operating brotherhoods mentioned in the following section of this chapter.

The value and efficiency of the principles of the Railway Labor Act as applied to the vast majority of disputes arising on the individual carriers, when not under the pressure of a strike threat, have been amply demonstrated during the past 17 years of the life of the present Board. The Board's mediatory services are eagerly sought by both parties in such instances, with the full anticipation of being able to resolve the issues amicably under the orderly processes of the act. This experience supports the feeling of the Board that full and conscientious utilization of the various steps of adjustment provided in the law will also succeed in the majority of cases involving national issues.

As noted in the following pages of this report, 269 disputes were settled through the mediation process in the fiscal year 1951, and a grand total of 3,637 were disposed of during the 17-year period since the passage of the 1934 amendments creating the present Board. This performance should bring all to a fuller realization of the fact that the principles on which this law was founded are still basically sound and vigorous, and need only a more whole-hearted utilization to minimize the difficulties through which the industry has been passing during the past few years.

3. DEVELOPMENTS IN THE 40-HOUR-WEEK MOVEMENT, TRAIN, ENGINE, AND YARD SERVICE EMPLOYEES

As noted briefly in the Board's sixteenth annual report, a strike called by the Switchmen's Union of North America in connection with their notice of September 20, 1949, on the carriers on which they held agreements for a 40-hour week with 48 hours' pay was in progress at the close of the last fiscal year on June 30, 1950. The strike had been called by this organization on the following railroads: Chicago, Rock Island & Pacific; Great Northern; Chicago Great Western; Denver & Rio Grande Western; and the Western Pacific Railroad.

This strike commenced on June 25, 1950, at 6 a. m. It continued in effect on the carriers listed above until July 7, 1950, when the organization issued instructions for a return to work on all the carriers named except the Chicago, Rock Island & Pacific Railway. On that date, the President of the United States by Executive order seized this carrier, a temporary injunction was secured against the organization, and the employees thereupon returned to service. The employees involved in the entire strike lost a total of 73,000 man-days.

Subsequent to their return to service, negotiations were entered into in Washington between a committee of eight, representing the carriers involved in this dispute, and the wage-rules committee, representing the Switchmen's Union of North America. These negotiations culminated in the execution of an agreement between the parties on September 21, 1950, settling the entire dispute. Parties to the agreement were the Switchmen's Union and the following carriers: Chicago Great Western; Chicago, Rock Island & Pacific; Davenport, Rock Island & North Western; Denver & Rio Grande Western; Great Northern; Minneapolis & St. Louis; including the Railway Transfer Co. of the city of Minneapolis; Northern Pacific Terminal Co. of Oregon; Saint Paul Union Depot Co.; and the Western Pacific Railroad.

In this settlement, three agreements were entered into, one known as agreement A, making the 40-hour week effective October 1, 1950, and providing for certain rate increases and rules changes; agreement B, under which the application of the 40-hour week was deferred, and an interim agreement, under which the 6-day week was continued in effect until September 1, 1951, and thereafter subject to termination on not less than 3 months' advance notice by the union to any railroad of its desire to make the 5-day week effective. Until that time, 6- and 7-day assignments may be continued at straight-time rates. If a notice is served to go on the 5-day week and the carrier claims that the manpower situation is such that this is impracticable, the adoption of a 5-day week will be submitted for final decision to John R. Steelman or such other person as he may designate.

The highlights of the wage and rules settlement, which are identical in the interim agreement and agreement A, are as follows:

1. General rate increase of 5 cents per hour effective July 1, 1950.
2. Additional general increase of 18 cents per hour effective October 1, 1950.
3. Cost-of-living adjustment factor of 1 cent per hour increase for each change of 1 percent in the BLS cost-of-living index, commencing January 1, 1951, adjustments to be made each 3 months, the base index figure to be 174.0.
4. Coupling and uncoupling air, signal, and steam hose. Any restrictions preventing the performance of this service by switchmen to be modified to permit such work to be done without payment, but where agreements require payments to switchmen performing this service, such rules shall be changed to provide for a payment of only 95 cents; the carriers being given the option of retaining present rules where desired.
5. Yard-switching limits may be expanded or contracted by the carrier to conform to the needs of the service, but when contracted, management will confer with the representatives of the employees.
6. A moratorium on proposals for changes in rates of pay, rules, or working conditions to become effective for a period of 3 years from October 1, 1950, except for changes in rules initiated prior to June 1, 1950.

As of October 1, 1951, the employees represented by the Switchmen's Union of North America had received a cumulative total additional rate increase of 11 cents per hour under the cost-of-living adjustment factor.

The Railroad Yardmasters of America had also presented their demands to the carriers, with which they held contracts, on or about April 10, 1948. These notices requested a 40-hour workweek with 48 hours' pay; payment for Saturday work at time and one-half; payment for Sunday and holiday work at double time, and a general wage increase of 25 cents per hour on the proposed new rates.

Mediation was invoked by both the carriers and the Railroad Yardmasters of America on the 1948 proposals. Mediation was conducted in Chicago during March 1950, but was unsuccessful. Both sides accepted arbitration in principle, but it was not found possible to get an agreement on the question to be arbitrated. The organization set a strike date for 6 a. m. April 12, 1950. The dispute was then referred to an emergency board, this board being the same one which was then considering the wage and rules disputes between the various carriers and the Order of Railway Conductors, the Brotherhood of Railroad Trainmen, and the Switchmen's Union of North America. Separate consideration, however, was given to the railroad yardmasters' dispute.

The report of this emergency board was issued on June 15, 1950. The Board recommended that the 5-day workweek be made effective October 1, 1950, but in connection therewith, that the salaries of yardmasters be reduced one-sixth. To this reduced rate should be added 18 cents per hour, computed on 200 hours per month, the new hourly basis to be on 174 hours per month. The Board also recommended the staggering of the 5-day-week arrangements and some leeway in compressing the two relief days on former 7-day assignments.

These recommendations were rejected by the Railroad Yardmasters of America. Subsequent negotiations between the three Carriers' Conference Committees and this organization resulted in the execution in the White House of an agreement between the parties dated November 2, 1950. This agreement followed the general pattern of those made by the Switchmen's Union of North America, being in three parts, agreement A, agreement B, and an interim agreement; with the same general features respecting the cost-of-living-adjustment factor, and the moratorium provision.

Under the wage clause of the interim agreement, the basic monthly rate was reduced one-sixth, and increments of \$36 per month and \$10 per month were added to the reduced rate, the rate so adjusted to cover the 5-day week when made effective. All wage adjustments will be made on the basis of 200 hours per month. Work on the sixth day to be paid for at the pro rata rate, and the hourly rate to be computed on 174 hours per month. The cost-of-living-adjustment clause provided for increments of \$2 per month per percentage point of increase over the base index figure of 174. Through October 1, 1951, the yardmasters under this agreement had received cumulative wage increases of \$22 per month under the adjustment factor.

As noted in the sixteenth annual report, the Emergency Board which had on March 2, 1950, commenced consideration of the wage and rules dispute between the carriers and the Order of Railway Conductors and Brotherhood of Railroad Trainmen in Chicago, made its report June 15, 1950, on this dispute, as well as those involving the Switchmen's Union of North America and the Railroad Yardmasters of America. The recommendations of the Board respecting the train and yard service employees were promptly rejected by the two organizations representing them. Conferences were held between the carrier representatives and those of the Order of Railway Conductors and the Brotherhood of Railroad Trainmen in Chicago commencing June 21, 1950, but soon broke down. The National Mediation Board proffered its further mediatory services on June 25, 1950, and mediation conferences continued in Chicago until July 10, 1950, when they were transferred to Washington, D. C.

Conferences in mediation were resumed in Washington on July 17, 1950, and continued until August 23, 1950, but without result. A strike date was set by the two organizations for 6 a. m., August 28, 1950. The President issued an Executive order taking over most of the Nation's railroads as of 4 p. m., August 27, 1950, and provided for their operation by the Secretary of the Army in the name of the United States Government. The railroads were still under Army operation at the close of the fiscal year 1951.

Following the seizure of the carriers, conferences between the parties, a representative of the President of the United States, and members of the National Mediation Board continued until the latter part of September 1950.

While the handling described above had been taking place, the two engine service organizations, the Brotherhood of Locomotive Engineers and the Brotherhood of Locomotive Firemen and Enginemen, had also served their wage and rules demands upon the carriers. The Brotherhood of Locomotive Firemen and Enginemen had served their notice on November 1, 1949, for a 5-day week with 48 hours' pay for all firemen, hostlers, and hostler helpers in yard, transfer, and belt line service, effective December 1, 1949; all assignments to be not less than 5 days per week; all service in excess of 5 days per week to be paid at rate of time and one-half, this overtime rate also to include work on legal holidays.

The Brotherhood of Locomotive Engineers served their notice on the carriers on or about January 5, 1950, asking for an increase in basic rates for engineers in yard service of 20 percent; all yard service to be bulletined and assigned, with no assignment less than five consecutive days per week; payment at time and one-half on five specified holidays; and guarantee of a basic day's pay for yard engineers assigned to extra boards for each day of such assignment.

For engineers in road service, this request was for a guaranteed monthly earning of not less than 3,200 miles for men in all classes of freight service; a guarantee of a basic day's pay for each day an engineer is assigned to an extra board; men in passenger service to be guaranteed not less than 4,000 miles per month; and finally, all road engineers to be paid 25 cents per hour for away-from-home expenses, for all time spent away-from-home terminal.

Conferences between the three Carriers' Conference Committees and representatives of the two organizations commenced in Washington, D. C., on October 5, 1950. The request of the Brotherhood of Locomotive Engineers became a docketed case of this Board on a joint invocation filed by the carriers and this organization on October 24, 1950, and mediation conferences began October 30, 1950. No application for mediation was filed by either party on the wage proposals made by the Brotherhood of Locomotive Firemen and Enginemen.

On November 3, 1950, the Brotherhood of Locomotive Engineers served an additional notice on the carriers for a 20 percent wage increase for road engineers. Also during November 1950, the Brotherhood of Locomotive Firemen and Enginemen, the Order of Railway Conductors and the Brotherhood of Railroad Trainmen announced their intentions to seek a wage increase of 35 cents per hour across the board.

Conferences were resumed at the White House on November 21, 1950, with representatives of the carriers and all four organizations. During these negotiations, wildcat or sick strikes of yardmen occurred commencing December 13, 1950, at Chicago, Washington, St. Louis, Birmingham, and other railroad centers. The Secretary of the Army, through the Department of Justice, secured injunctions against the Brotherhood of Railroad Trainmen against strikes. The President of the United States made a personal appeal on December 15, 1950, for the strikers to return to work, and they responded immediately.

A memorandum of agreement was signed at the White House on December 21, 1950, by representatives of the three Carriers Conference Committees and all four brotherhoods. The principal items contained in this memorandum are as follows:

1. Forty-hour week for all men in yard service established effective October 1, 1950, with increase in pay of 23 cents per hour, and an additional wage increase of 2 cents per hour effective January 1, 1951.

2. Forty-hour week to be set aside until January 1, 1952, and a 6-day workweek established for men in yard service. Overtime to be paid at rate of time and one-half to all men in yard service except engineers for the seventh day, effective with first payroll period after 30 days from date of execution of formal agreement. On and after October 1, 1951, 3 months' notice to be given of desire to go on 40-hour week, availability of manpower to be considered at that time. Additional pay increase of 4 cents per hour to be made when 40-hour week actually becomes effective.

3. Fringe benefits for yard conductors and brakemen, such as addition of daily earnings minimum to basic rate, increases for car-retarder operators and footboard yardmasters, to be made effective as recommended by the Emergency Board.

4. Parties agreed to settle the following rules:

- (a) Initial terminal delay (conductors and trainmen).
- (b) Interdivisional runs.
- (c) Pooling cabooses (conductors and trainmen).
- (d) Reporting for duty.
- (e) More than one class of service.
- (f) Switching limits.
- (g) Air hose rule (conductors and trainmen).
- (h) Western territory differentials and double-header and tonnage limitation rules (conductors and trainmen, all territories).

5. Roadmen to receive 5 cents per hour increase effective October 1, 1950, and an additional 5 cents per hour increase effective January 1, 1951.

6. Quarterly adjustment of wages on basis of cost-of-living index. (One point equals one cent per hour. Base figure to be 176. First adjustment April 1, 1951.)

7. Application of above principles to yardmasters, where applicable.

8. Basic hours of dining car stewards reduced from 225 to 205 hours per month effective October 1, 1950, with overtime from 205 to 240 at pro rata rate. Overtime at time and one-half after 220 hours effective February 1, 1951. Basic monthly rate not to be reduced, and \$4.10 wage increase effective January 1, 1951.

9. Agreement to be effective until October 1, 1953, with a moratorium on wage and rules change proposals by both parties until October 1, 1953.

10. If parties are unable to agree on settlement of rules, they shall be submitted to John R. Steelman for final decision.

However, the brotherhood chiefs contended that this document was subject to approval of their respective general committees. On December 29, 1950, the Brotherhood of Locomotive Engineers announced that their general committee had instructed their negotiating committee to return to Washington to negotiate a more favorable settlement. The memorandum of agreement was rejected by the Committees of the Brotherhood of Locomotive Firemen and Engineers and Brotherhood of Railroad Trainmen on January 5, 1951, and by the Committee of the Order of Railway Conductors on January 7, 1951.

The representatives of the four brotherhoods returned to Washington on January 17, 1951. They met Dr. Steelman and the members of the National Mediation Board at the White House on January 18, 1951, and the dispute was returned to the National Mediation Board on January 19, 1951, for further handling with the parties.

Commencing on January 29, 1951, a series of wildcat and sick strikes of yardmen again occurred which affected railroad operations in many sections of the country, making it necessary for the railroads and the Railway Express Agency to issue embargoes against the handling of freight and express shipments through many important terminals, including Chicago, St. Louis, and Washington, D. C. It was also necessary for the Post Office Department to issue restrictions on the handling of United States mail between certain parts of the country.

On January 31, 1951, the United States district attorney filed a petition for a contempt citation in the United States District Court at Chicago against President W. P. Kennedy and 52 other officials of

the Brotherhood of Railroad Trainmen for having disobeyed the injunction issued in December 1950. On February 7, 1951, Federal Judge Michael L. Igoe fined the brotherhood \$25,000 for contempt. A similar citation for contempt came on before Federal Judge Tamm in Washington, D. C., on February 19, 1951, at which time the brotherhood entered a plea of guilty, and was fined \$75,000.

The striking yardmen returned to service after the issuance of a general order by Assistant Secretary of the Army Bendetsen on February 8, 1951, in which the strikers were directed to return to their jobs within 48 hours from the date of the order or face dismissal from railroad service with loss of their seniority rights, unless their absence from service could be satisfactorily explained and proved. This general order also made effective an interim wage increase of 12½ cents per hour for men in yard service and 5 cents per hour for men in road service as of October 1, 1950.

As noted above, the dispute was returned to the National Mediation Board for further handling on January 19, 1951. Separate and joint meetings were conducted almost daily by the Members of the Board from that date through February 20, 1951. Joint conferences between the representatives of both sides, with the members of the National Mediation Board participating, were held on February 3 and 4, 12 through 17, and 19 and 20, 1951.

On the latter date these conferences were recessed for the purpose of permitting the representatives of the carriers and the organizations to appear and testify at hearings which were conducted by the Senate Committee on Labor and Public Welfare, to investigate the circumstances surrounding this dispute. Hearings were held by this committee on February 22, 26, and 27, March 1, 5, 7, 12, 14, 15, 16, 21, 22, 28, 29, 30, April 3 and 5, 1951. The chief executives of all four train and engine service organizations, Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors, and Brotherhood of Railroad Trainmen, presented testimony and were examined by the members and counsel of that committee. Representatives of the carriers involved in this dispute also testified and were examined. In addition two members of the National Mediation Board and the Secretary of the Board presented testimony to the committee.

Following these hearings, the Senate Committee on Labor and Public Welfare issued its report No. 496, which was ordered printed on June 27, 1951. In addition to the majority report, there was also included a minority report, signed by Senators Robert A. Taft, H. Alexander Smith, and Richard M. Nixon.

On or about February 20, 1951, the National Mediation Board had submitted for consideration by the four organizations named above a proposed supplement to the memorandum of agreement dated December 21, 1950. On February 24 the Brotherhood of Railroad Trainmen, alone, indicated a willingness to consider this supplement, and from that point on that organization met with the Board and the carriers alone and not in collaboration with the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, and the Order of Railway Conductors. On February 24, 1951, an agreement was almost consummated with that organization but differences of opinion on two items prevented a settlement. After the conclusion of the hearings by the Senate committee, a series of conferences between the Brotherhood of Railroad Trainmen and the

carriers, with the assistance of the Board, took place and on May 25, 1951, an agreement was reached in mediation with that organization disposing of all issues in the case. That agreement provided for final and binding arbitration of two of the rules changes requested by the carriers; namely, coupling of air, steam, and signal hose and payments to be made where an employee performed two classes of service in a tour of duty.

In accordance with this arbitration agreement, President Truman appointed Mr. George Cheney of San Diego, Calif., as the neutral referee. His award was issued on August 1, 1951, and contained the following provisions with respect to these two issues:

TWO CLASSES OF SERVICE

A new rule should be drafted and inserted in the principal agreement between the parties to this proceeding, dated May 25, 1951, which should read as follows: "Road trainmen performing more than one class of road service in a day or trip will be paid for the entire service at the highest rate applicable to any class of service performed. The overtime basis for the rate paid will apply for the entire trip."

COUPLING AIR HOSE

A new rule should be drafted and inserted in the principal agreement between the parties to this proceeding, dated May 25, 1951, which should read as follows: "Rules, agreements, interpretations, or practices which prohibit or restrict the use of yardmen to couple or uncouple air, steam, and signal hose, shall be modified so that there will be no prohibitions or restrictions on yardmen performing such work and no payment therefor will be made but where rules, agreements, interpretations, or practices require payment to yardmen under conditions stated therein for coupling or uncoupling air, steam, and signal hose, such rules, agreements, interpretations, or practices shall be changed to provide for the payment of only 95 cents."

"Individual carriers may elect to accept this rule or retain their present rules or practices without modification, by so notifying their general chairman prior to September 1, 1951, and if accepted the date of such notification shall become the effective date."

While the above-described events were taking place, joint conferences were continued by the members of the National Mediation Board with the carrier representatives and those of the Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, and Order of Railway Conductors continuing through May 2, 1951. These three organizations made a proposal for settlement to the carriers through the Board on April 28, 1951.

It was rejected by the carriers in a letter to the Board dated May 10, 1951, but they expressed their continued willingness to carry out the provisions of the memorandum of agreement of December 21, 1950.

No further meetings were held by the Board with the carriers or these organizations until June 6, 1951, on which date joint conferences were resumed in Washington. At the request of the Board, the carrier committees presented on June 14, 1951, proposed complete agreements drawn for the purpose of implementing the provisions of the memorandum of agreement of December 21, 1950. These proposals went no further than the terms of that memorandum, but did include the escalator hourly increases as provided for in that memorandum. On June 14, 1951, the chief executives of the three organizations advised the Board that they were arranging to convene the General Chairmen's Associations of the three organizations in Washington, D. C., for the purpose of laying the whole subject before them. Under date of June 28, 1951, the three chief executives advised the Board the carrier proposal of June 14, 1951, had been considered and was not acceptable to them.

4. DEVELOPMENTS IN THE AIRLINE INDUSTRY

One of the most important developments which has led to labor disputes in the airline industry was the introduction by the Air Line Pilots Association of the theory of mileage limitation, or as the association chooses to call it, "Mileage increase determination." In the earlier days of the airline industry, before the pilots were organized, they were compensated on a mileage basis, without regard to number of hours flown. During the period 1931-33 the airlines abandoned this method of payment and went to a combination of so-called base pay, or an amount paid per month regardless of miles or hours flown, and hourly flying pay. This brought on a dispute between the airlines and their pilots which went before the National Labor Board for settlement in 1934.

In May 1934 the National Labor Board issued its decision 83, which established the basic formula for computing the pay of pilots, and is still in effect, with some modifications. The Air Line Pilots Association was instrumental in securing the incorporation of decision 83 in the Civil Aeronautics Act of 1938. This decision established a pay formula consisting of three main factors, i. e.:

1. Base pay, which increases to a maximum figure based on length of service.
2. Hourly flying pay, or rate per hour of flight time, which incorporates a premium of rate and one-half for night flying.
3. Mileage pay, or rate per mile which varied with the number of miles flown per month, using the first 10,000 miles as a base.

In addition, decision 83 provided that 85 hours of flying per month shall constitute the maximum for pilots. It also provided for the continuation of existing differentials for flight over hazardous terrain. This decision stated that the experience in the air industry had not at that time crystallized sufficiently to place a maximum on the monthly mileage for pilots. All the above applies to captains or first pilots. Copilots were continued on the basis of a flat monthly salary, increased to a maximum on a longevity scale.

Payment under decision 83 continued practically without change from 1934 to 1946. During that year the pilots presented demands to the various airlines for changes in this formula which would give them a larger participation in the proceeds from their increased productivity, due to larger and faster planes installed in service by the air carriers. At that time, the airlines formed the Airlines Negotiating Committee, and attempted to bargain jointly with the Air Line Pilots Association, which declined to bargain except on an individual airline basis. These disputes went before a single Emergency Board, No. 36, which made its report and recommendations on July 7, 1946. The recommendations of that Emergency Board were not followed in their entirety, but did result in three major changes in the pay formula; i. e., the addition of a weight of aircraft factor in the hourly pay portion of the formula, which became known as gross weight pay; the extension of the hourly pay brackets by adding new increments for each additional 25 miles per hour of the pegged speed of the various types of airplanes; and certain changes in the method of computing mileage pay to produce higher earning power.

At the present time, the pay of first pilots is based on six factors, as follows:

1. Base pay.
2. Longevity, or length of service.
3. Hourly pay (including premium for night flying).

4. The speed of the aircraft.
5. The mileage flown.
6. The gross weight of the aircraft.

The new proposals of the pilots for mileage limitations were not made as requests for an increase in pay, but with the avowed purpose of reducing the number of flying hours on a sliding scale introduced to maintain present earnings by reducing the number of flying hours in proportion to the speed and size of the aircraft flown. On certain types, the hours would be cut to 70, from the present standard of 85 per month. Proposals were also made to reduce the total on-duty time.

The progression of these requested changes in the pay formula came to a conclusion almost at the same time on American Airlines, Inc., and United Air Lines, Inc., two of the largest air carriers in the industry. The carriers opposed any mileage limitation or reduction in the 85 hours of flying time prescribed in decision 83. A strike vote was conducted among the pilots of American Airlines, Inc., in October 1950, and an emergency board was created under section 10 of the Railway Labor Act, which began its hearings on January 25, 1951, and ended April 27, 1951. The transcript consisted of 4,770 pages of testimony and 106 exhibits. The Board issued its report and recommendations on May 25, 1951.

In its report, this emergency board recommended against a reduction in the flying time below 85 hours per month. It did, however, recommend increased vacation allowances for captains, a provision guaranteeing more free time for all pilots, a minimum pay guarantee, improved sick leave and furlough allowances, and increased meal allowances. For copilots, the Board recommended changes in the present pay formula which would place them on approximately the same method of computation as the captains, and would produce a pay increase of approximately \$1,800 per year. At the close of the fiscal year 1951, no agreement had been reached between American Airlines, Inc., and the Air Line Pilots Association based on the recommendations of this emergency board.

As noted above, a similar dispute on the mileage limitations' proposals existed on United Airlines. The differences here were further complicated by the fact that this carrier had acquired a number of new aircraft, known as type DC-6B, which the pilots represented by the Air Line Pilots Association had refused to fly, on the contention that they had no agreement with the United Airlines, Inc., on a rate of pay for this type of plane. American Airlines, Inc., also owned a number of DC-6B aircraft, but their pilots had flown them from the time of their installation in service, although the rate of pay for flying them was in dispute.

The dispute on United Airlines, particularly respecting the refusal of the pilots to fly the DC-6B's came to a head on June 19, 1951, the pilots of United leaving the service in strike action at 5 a. m. on that date. This strike continued for 10 days, and the pilots finally returned to work under a truce agreement made in mediation under the auspices of a representative of this Board on June 29, 1951. Mediation of this dispute was being actively conducted at the close of the fiscal year on June 30, 1951.

During the past fiscal year a number of agreements were made in mediation between the Air Line Pilots Association and various air carriers covering varying phases of the operations of the Korean Air

Lift by pilots of the commercial airlines. These agreements dealt particularly with various types of special allowances for this service, and the handling of seniority questions in connection with this operation.

Mention was made in the fifteenth annual report of this Board of the efforts of the Air Line Dispatchers Association to secure representation rights for dispatchers employed by Pan American-Grace Airways in South American countries. The National Mediation Board dismissed this application of the organization on the grounds that the Railway Labor Act does not permit this Board to extend its jurisdiction beyond the continental limits of the United States and its territories.

This ruling of the Board was contested by the Air Line Dispatchers Association in the United States District Court for the District of Columbia in an action for a declaration by the court that the National Mediation Board has jurisdiction beyond the limits named above, and for a mandatory injunction to require this Board to accept jurisdiction of the application filed by the association in the alleged representation dispute and make an adjudication. This action was filed in the district court on March 23, 1949. On April 5, 1950, the court ruled that no jurisdictional review of this Board's orders under section 2, ninth, of the Railway Labor Act is authorized, and dismissed the petition.

An appeal was taken by the association to the United States Court of Appeals for the District of Columbia, and on May 17, 1951, the circuit court affirmed the action of the district court in dismissing the complaint. A petition was made by the association later to the Supreme Court of the United States for a writ of certiorari, to review the decision of the circuit court of appeals. This petition was denied by the Supreme Court.

An interesting development in connection with the passage of the union-shop amendment to the Railway Labor Act, effective January 10, 1951, which is mentioned more fully in a subsequent section of this chapter, was the first agreement on union security made under the new amendment. This union agreement was entered into on January 23, 1951, between American Airlines, Inc. and the Transport Workers of America, CIO, and covered airline mechanics, plant maintenance, fleet service, and ground service employees of that carrier represented by that organization. The agreement provides that any employee who was a member of the union on December 2, 1950, or who subsequently becomes a member, also all employees hired on and after the effective date of the agreement, shall remain members as a condition of employment during the life of the agreement. Up to June 30, 1951, no straight union shop agreements had been made by any air carrier with organizations representing airline employees.

5. UNION SHOP AMENDMENT

On March 21, 1950, Representative Robert Crosser introduced a bill in the House of Representatives of the Congress known as H. R. 7789, Eighty-first Congress, second session, amending section 2 of the Railway Labor Act, as amended, to permit the negotiation by labor organizations operating under the act of agreements covering a union shop, and the check-off of union dues, initiation fees, and assessments. This bill was referred to the House Committee on Interstate and Foreign Commerce, which reported the bill favorably on August 7, 1950.

Compulsory membership in a labor organization as a condition of employment, and the check-off by the company of union dues and other fees and assessments had been specifically prohibited by the 1934 amendments to the Railway Labor Act of 1926. This prohibition was contained in section 2, fourth, and fifth, of the Railway Labor Act, as amended in 1934, these paragraphs reading as follows:

Fourth. Employees shall have the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this act. No carrier, its officers, or agents, shall deny or in any way question the right of its employees to join, organize, or assist in organizing the labor organization of their choice, and it shall be unlawful for any carrier to interfere in any way with the organization of its employees, or to use the funds of the carrier in maintaining or assisting or contributing to any labor organization, labor representative, or other agency of collective bargaining, or in performing any work therefor, or to influence or coerce employees in an effort to induce them to join or remain or not to join or remain members of any labor organization or to deduct from the wages of employees any dues, fees, assessments, or other contributions payable to labor organizations, or to collect or to assist in the collection of any such dues, fees, assessments, or other contributions: *Provided*, That nothing in this act shall be construed to prohibit a carrier from permitting an employee, individually, or local representatives of employees from conferring with management during working hours without loss of time, or to prohibit a carrier from furnishing free transportation to its employees while engaged in the business of a labor organization.

Fifth. No carrier, its officers, or agents shall require any person seeking employment to sign any contract or agreement promising to join or not to join a labor organization; and if any such contract has been enforced prior to the effective date of this act, then such carrier shall notify the employees by an appropriate order that such contract has been discarded and is no longer binding on them in any way.

Hearings were held on the so-called union-shop amendment before the House Committee on Interstate and Foreign Commerce, also before the Senate Committee on Labor and Public Welfare. At these hearings representatives of various carriers and carrier associations opposed the proposed amendment. The bill was finally enacted on the last legislative day of the Eighty-first Congress as Public Law 914, and was approved by the President on January 10, 1951. This law, which is now known as section 2, eleventh, of the Railway Labor Act as amended, reads as follows:

[PUBLIC LAW 914—81ST CONGRESS]

[CHAPTER 1220—2D SESSION]

[S. 3295]

AN ACT To amend the Railway Labor Act and to authorize agreements providing for union membership and agreements for deductions from the wages of carriers' employees for certain purposes and under certain conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Railway Labor Act be amended by adding to section 2 thereof, as paragraph "Eleventh," the following language.

"Eleventh." Notwithstanding any other provisions of this Act, or of any other statute or law of the United States, or Territory thereof, or of any State, any carrier or carriers as defined in this Act and a labor organization or labor organizations duly designated and authorized to represent employees in accordance with the requirements of this Act shall be permitted—

"(a) to make agreements, requiring, as a condition of continued employment, that within sixty days following the beginning of such employment, or the effective date of such agreements, whichever is the later, all employees shall become members of the labor organization representing their craft or class: *Provided*, That no such agreement shall require such condition of employment with respect to employees to whom membership is not available upon the same terms and conditions as are generally applicable to any other member or with respect to employees to whom membership was denied or terminated for any reason other than the failure

of the employee to tender the periodic dues, initiation fees, and assessments (not including fines and penalties) uniformly required as a condition of acquiring or retaining membership.

"(b) to make agreements providing for the deduction by such carrier or carriers from the wages of its or their employees in a craft or class and payment to the labor organization representing the craft or class of such employees, of any periodic dues, initiation fees, and assessments (not including fines and penalties) uniformly required as a condition of acquiring or retaining membership: *Provided*, That no such agreement shall be effective with respect to any individual employee until he shall have furnished the employer with a written assignment to the labor organization of such membership dues, initiation fees, and assessments, which shall be revocable in writing after the expiration of one year or upon the termination date of the applicable collective agreement, whichever occurs sooner.

"(c) The requirement of membership in a labor organization in an agreement made pursuant to subparagraph (a) shall be satisfied, as to both a present or future employee in engine, train, yard, or hostling service; that is, an employee engaged in any of the services or capacities covered in section 3, first (h) of this act."

As previously mentioned, the first agreement to be made by a carrier and a labor organization subject to the Railway Labor Act was consummated on January 23, 1951, between American Airlines, Inc., and Transport Workers Union of America, CIO.

The 17 nonoperating railway labor organizations served a uniform notice individually upon the carriers under date of February 5, 1951, for an agreement covering the union shop and check-off of union dues, initiation fees, and assessments covering the crafts or classes of railroad employees represented by them.

In the individual notices to the carriers, each organization urged the carrier, in the event that a settlement was not reached in the separate system conferences, to join in the creation of a Carriers' National Conference Committee, authorized to handle the subject to a conclusion with an Employees' National Conference Committee, composed of the chief executives of the 17 cooperating railway labor organizations. No regional or national Carriers' Conference Committees were authorized by the carriers upon which the uniform notice had been served. As a result, the 17 cooperating railway labor organizations filed an application for mediation dated May 23, 1951, naming approximately 400 individual carriers as parties to the dispute, asking that the controversy be handled in concurrent mediation proceedings. The 17 organizations cooperating in this movement are listed below:

1. International Association of Machinists.
2. International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America.
3. International Brotherhood of Blacksmiths, Drop Forgers and Helpers.
4. Sheet Metal Workers' International Association.
5. International Brotherhood of Electrical Workers.
6. Brotherhood Railway Carmen of America.
7. International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers.
8. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.
9. Brotherhood of Maintenance of Way Employes.
10. The Order of Railroad Telegraphers.
11. Brotherhood of Railroad Signalmen of America.
12. National Organization, Masters, Mates and Pilots of America.
13. National Marine Engineers' Beneficial Association.
14. International Longshoremen's Association.
15. Hotel and Restaurant Employees and Bartenders International Union.
16. American Train Dispatchers Association.
17. Railroad Yardmasters of America.

Upon receipt of this application for mediation, the Board wrote letters to all the carriers named as parties in the application, conveying to them the request of the 17 organizations for concurrent mediation. At the close of the fiscal year on June 30, 1951, a great many of the carriers had not yet replied to the Board's communication.

The movement of the nonoperating organizations was not joined by the five train, engine, and yard service organizations. Some of the latter proceeded to handle the union-shop question individually with various carriers, and some of them secured union-shop agreements. No joint movement has yet been initiated by these five organizations representing the so-called operating employees.

As a result of the conferences between the representatives of the 17 nonoperating organizations conducted on the individual carriers, a few union-shop agreements were secured by them. At the close of the fiscal year 1951, the Board's agreement files show that 16 union-shop agreements had been signed by the various nonoperating organizations on the rail carriers, 4 by the operating, or train, engine, and yard service organizations, and no straight union-shop agreements had been negotiated by organizations representing employees on the air carriers.

6. WAGE STABILIZATION—DEFENSE PRODUCTION ACT OF 1950

Under the Defense Production Act of 1950, and the Presidents' Executive Order 10161, the Economic Stabilization Administration was created in January 1951, with Mr. Eric Johnston as Administrator. A Wage Stabilization Board was also created, being a tripartite board representing management, labor, and the general public under the chairmanship of Mr. Cyrus Ching. This machinery was intended to function until July 1, 1951, before which date the entire subject of economic stabilization, including both commodity prices and wages, was to be reexamined.

General wage regulation No. 1 was issued on January 26, 1951, by the Economic Stabilization Director for the general purpose of freezing wages as they existed on January 25, 1951, and provided that no rates in excess of these paid as of that date could be paid without prior approval or authorization by the Wage Stabilization Board. This regulation was relaxed in General Wage Stabilization Regulation No. 2 dated February 1, 1951, to provide that increases resulting from negotiations, arbitrations, or other proceedings in progress prior to January 25, 1951, could be made effective if applicable within 15 days after that date, provided they had been determined prior to January 25, 1951.

These regulations were further relaxed by the issuance of General Wage Regulation No. 6, on February 27, 1951. Under the new general wage formula established by this regulation, wage increases were permitted in instances where wage and salary earners had not received an increase of as much as 10 percent between January 15, 1950, and the date of this regulation, in an amount sufficient to bring the increase up to the figure of 10 percent over the January 15, 1950, base date. This percentage has been subsequently relaxed to 12 percent over the base date.

The first practical application of the wage-stabilization regulations to wage adjustments occurring under the Railway Labor Act was in the case of the general wage increase of February 1, 1951, provided for in an agreement executed on March 1, 1951, by the carriers represented by the Eastern, Western, and Southeastern Carriers' Conference

Committees, and the nonoperating railroad employees represented by the 15 cooperating railway labor organizations. This wage adjustment is described in more detail in section 8 of this chapter.

Due to the dissolution in March 1951 of the Wage Stabilization Board, brought about by disputes between the labor and management representatives over the proper functions and authority of that Board, there was no functioning agency in existence which could review this settlement and pass on it under the wage stabilization regulations then in effect. Accordingly, the President of the United States on April 6, 1951, requested the Economic Stabilization Administrator to establish an emergency panel to consider and pass on this settlement. Such a panel was created by the Administrator in his General Order No. 7, dated April 9, 1951, the panel consisting of Dr. Wm. M. Leiserson, chairman, Lloyd K. Garrison, and Frank M. Swacker, members.

This panel held open hearings commencing April 13, 1951, and on April 25, 1951, its report was released by the Economic Stabilization Administrator. The report of the panel recommended that the escalator increases, hereinafter described, be approved, although they would pierce the allowable amount of increase under the 10 percent permissible under the existing wage-stabilization regulations. The panel recommendations were made effective under Wage Adjustment Order No. 1 of the Administrator, dated April 24, 1951.

The Wage Stabilization Board was reconstituted on April 21, 1951, under Executive Order 10233; amending Executive Order 10161, as a tripartite 18-man board, 6 members representing each, the public, management, and labor. In addition to its wage-stabilization functions, the Board was also empowered to assume jurisdiction of labor disputes threatening an interruption of work affecting the national defense.

At the close of the fiscal year 1951, matters requiring the approval of wage adjustments on the rail and air carriers were under the jurisdiction of the reconstituted Wage Stabilization Board.

7. 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 disputes 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.

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 only exception to this rule is in unusual or extraordinary circumstances. During the fiscal year 1951, three elections were authorized under that part of the rule "unusual or extraordinary circumstances."

One was among dining-car employees of the Gulf, Mobile & Ohio Railroad (R-2394). On May 15, 1950, an independent union was certified as the authorized representative of this group of employees. Later the employees formed a new union and made request on the carrier to negotiate a new working agreement which was declined on the basis of the above certification. Doubt arose in the carrier's mind as to what union actually represented the employees and after a full investigation by the Board the 2-year rule was set aside and an election authorized between the Brotherhood of Dining Car Employees, the organization originally certified, and the Joint Council Dining Car Employees, Hotel and Restaurant Employees, and Bartenders International Union, the applicant organization, the latter being successful in winning the bargaining rights by a large majority.

Another representation dispute arose among the licensed marine employees of the Chesapeake & Ohio Railway Co. (R-2425). On August 31, 1949, the Great Lakes Licensed Officers Organization, Foremen's Association of America, was certified as the bargaining agent for marine engineers. A new organization was formed known as the Great Lakes Licensed Officers Organization. A majority of the members of the former organization joined the latter organization and disaffiliated with Foremen's Association of America, which created a dispute as to the legal bargaining representative. After an investigation by the Board, it was found that the circumstances warranted the conduct of an election forthwith.

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. 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 history of

self-organization, 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.

In case R-2425, above referred to, the question arose as to dividing the craft or class of Licensed Marine Engineers as between the Chesapeake district and the Pere Marquette district of the Chesapeake & Ohio Railway Co. for voting purposes. The interested parties were advised that the craft or class could not be divided on an individual property, breaking up craft or class lines that had been established over a period of years, without the consent of all parties to the dispute. The Foremen's Association of America, The Great Lakes Licensed Officers Organization, and the National Marine Engineers Beneficial Association, all of which were involved in this dispute, entered into a written agreement whereby the Licensed Marine Engineers were separated as between the Chesapeake district and the Pere Marquette district for voting purposes under the act. In granting this concession, the Board stated that this action does not establish a precedent or preclude an ultimate determination on any future dispute as to proper carrier unit for determination of representation under section 2, ninth of the Railway Labor Act.

The third case in which application was made to the Board to set aside the 2-year rule was filed by the Railway Employees' Department, AFL, seeking to represent a group of five shop crafts on the Pennsylvania Railroad for which the Industrial Union of Marine and Shipbuilding Workers of America, CIO, was certified on November 21, 1949. In the early part of 1951 a new union was formed known as the United Railroad Workers of America, CIO, which took over representation of these employees from the certified organization. The Railway Employees' Department, AFL, contended that the relinquishment of jurisdiction over the employees by the certified organization left the employees of the Pennsylvania in these five crafts without representation. The Board conducted a public hearing on the issues involved and at the close of the fiscal year, June 30, 1951, a conclusion had not been reached by the Board.

During the 17-year period since the Railway Labor Act was amended to provide for settling representation disputes, the Board has disposed of 2,408 such controversies involving 902,798 employees. In 2,021 of these cases, or 84 percent, involving 826,680, or 91 percent, representation rights were established either by issuance of certifications or by voluntary recognition by the carrier management involved. During 1951 a total of 120 representation cases involving 21,822 employees were disposed of, compared to 128 involving 66,859 employees in 1950.

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 a normal level.

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

8. ITEMS OF SPECIAL INTEREST

As noted in the Board's sixteenth annual report, the dispute between the various carriers represented by the Eastern, Western, and South-eastern Carriers' Conference Committees and the Brotherhood of Locomotive Firemen and Enginemen in connection with the employment of additional firemen (helpers) on Diesel-electric locomotives was composed by the execution of arbitration agreements on May 17, 1950, which provided for two separate arbitrations; (1) in connection with the alleged violation of certain existing Diesel agreements, and, (2) with respect to the employment of a fireman (helper) on Diesel-electric locomotives of not more than 90,000 pounds weight on drivers.

Due mainly to the handling of the wage and rules disputes between the carriers and the four train and engine service organizations, which commenced early in the fall of 1950, and were still being handled at the close of the fiscal year on June 30, 1951, the two arbitrations of the Diesel dispute were held in abeyance, and had not yet commenced when the year ended.

The Board is pleased to state that a national wage movement inaugurated by the fifteen cooperating (nonoperating) railway labor organizations during the past fiscal year was settled in mediation. In December 1950 an application for mediation was received from the organizations in a dispute with the rail carriers concerning the employees' request for a wage increase of 25 cents per hour, effective November 25, 1950. A great majority of the carriers involved authorized carriers' conference committees in the Eastern, Western, and Southeastern territories to represent them.

Direct conferences were held between the carriers' conference committees and a committee representing the 15 organizations during January 1951, but were discontinued without reaching a settlement. Mediation conferences commenced, with the members of the National Mediation Board participating, on January 25, 1951. On March 1, 1951, the representatives of all parties signed a mediation agreement disposing of this dispute. The agreement provided for a basic wage increase of 12½ cents per hour effective February 1, 1951, and a cost-of-living adjustment of 1 cent per hour per percentage point increase in the Consumers' Price Index, as published by the United States Department of Labor, Bureau of Labor Statistics. Adjustments will be made quarterly, commencing April 1, 1951, and the base index figure was 178. As of August 15, 1951, the employees had received a cumulative increase of 7 cents per hour under this plan. The duration clause of this agreement is quoted below:

ARTICLE III—DURATION OF AGREEMENT

After the date of this agreement no proposals for changes in rates of pay will be initiated by the employees against any carrier or by any carrier against its employees, parties hereto, prior to October 1, 1953. *Provided, however,* That if Government wage stabilization policy permits so-called annual improvement wage increases, the parties may meet with the President of the United States, or such other person as he may designate, on or after July 1, 1952, to discuss whether or not further wage adjustments for employees covered by this agreement are justi-

fied, in addition to increases received under the cost-of-living formula. At the request of either party for such a meeting, the President or his representative shall fix the time and place for such meeting. The President or his representative and the parties may secure information from the wage stabilization authorities or other Government agencies. If the parties are unable to agree at such conferences whether or not further wage adjustments are justified they shall ask the President of the United States to appoint a referee who shall sit with them and consider all pertinent information, and decide promptly whether further wage increases are justified and, if so, what such increases should be, and the effective date thereof. The carrier representatives shall have one vote, the employee representatives shall have one vote, and the referee shall have one vote.

NOTE.—This article III is not intended to prevent adjustments in the rates of individual positions.

It is to be noted that request for mediation in this dispute was filed with the National Mediation Board in December 1950 and the dispute was disposed of by settlement on March 1, 1951, through a mediation agreement. Ordinarily disputes of this magnitude, involving approximately 75 percent of the 1,295,570 employed in the railroad industry require many months when it is necessary to use all the procedural steps of the act. In this case an agreement was reached, placed in effect within 3 months after application for the Board's services were received. This establishes a record, at least in recent years, for settling of wage disputes of this nature.

On March 7, 1951, the Assistant Secretary of the Army, Mr. Karl R. Bendetsen, directed the operating heads of the transportation system under Army control to place the settlement in effect. An increase in the cost-of-living index to 184.2 on February 15, 1951, produced a rate increase of 6 cents per hour effective April 1, 1951, under the cost-of-living adjustment formula in the above agreement, which pierced the wage ceiling established at that time under the wage stabilization law. The Assistant Secretary of the Army, therefore, ordered on April 9, 1951, that no wage payments be made by any carrier under Army control in excess of payments permitted by the wage-stabilization regulations.

As the Wage Stabilization Board had ceased functioning at that time, as mentioned above, the President of the United States directed that a special panel be established by the Economic Stabilization Administrator to consider this case. As previously noted in this chapter, this special panel reported on April 25, 1951, approving the settlement made between the carriers and the organizations, and also approving any future increases accruing under the cost-of-living adjustment formula.

Another encouraging settlement made under the act during the past fiscal year was in connection with a demand for a wage increase of \$50 per month and increased vacation allowances made by the American Train Dispatchers Association on all carriers with which the organization holds agreements. This request was made on the carriers on November 6, 1950. The carriers authorized conference committees in the Eastern, Western, and Southeastern territories to represent them. These committees met with representatives of the American Train Dispatchers Association, and both parties jointly invoked the mediatory services of this Board.

Mediation conferences commenced on March 20, 1951, and an arbitration agreement was signed on June 28, 1951, under which the parties agreed to submit the dispute to an arbitration board under the Railway Labor Act. The arbitration board had not been constituted at the close of the fiscal year.

The peaceable settlement of the two disputes described above under the machinery provided in the act proves in the Board's view, that the so-called national cases can be settled within the framework of the present law, provided the contesting parties are disposed to negotiate their differences through to a conclusion, or submit them to arbitration for a definite decision.

9. NATIONAL RAILROAD ADJUSTMENT BOARD

The Railway Labor Act as originally approved on May 20, 1926, contained no provision for the disposition of disputes involving grievances and the interpretation or application of agreement rules by a national tribunal. It provided for the settlement of such questions by system boards of adjustment, or by regional adjustment boards. The law also made it the duty of the United States Board of Mediation, the predecessor of the present National Mediation Board, to handle questions of this nature in mediation.

Since there was no provision in the 1926 law under which deadlocks on the system or regional adjustment boards might be broken, this machinery soon proved to be entirely inadequate, and the Adjustment Board of Mediation was swamped with a large number of grievance dockets on various carriers. When mediation failed to dispose of these dockets, strike votes were taken to enforce the demands of the organizations for settlement.

Under the amendment to the Railway Labor Act approved on June 21, 1934, the National Railroad Adjustment Board was created with the specific duty of hearing and deciding disputes between the employees and the carriers growing out of grievances, or out of the interpretation or application of agreements concerning rates of pay, rules, and working conditions, including cases pending and unadjusted on the date of the approval of these amendments.

The National Railroad Adjustment Board is composed of 36 members, 18 representing, chosen, and compensated by the carriers, and 18 representing, chosen, and paid by the so-called standard national railway labor organizations. The 36 members of the Adjustment Board are organized into 4 divisions. The first division, composed of 10 members, equally divided as between representatives of management and labor, has jurisdiction over disputes involving employees in train, engine, and yard service. The second division, also consisting of 10 members, equally divided, has jurisdiction over disputes arising among the so-called shop craft, or maintenance-of-equipment employees.

The third division, again composed of 10 members, divided as the others, passes upon disputes which concern station, tower, and telegraph employees, train dispatchers, maintenance-of-way department employees, clerical, office, station, and storehouse employees, signalmen, sleeping-car conductors, sleeping-car porters and maids, and dining-car employees. The fourth division, with 6 members, 3 from each side, handles disputes coming up among marine service and all other groups of railroad employees not within the jurisdiction of the first, second, and third divisions; among such groups are found the railway police or patrolmen, yardmasters, mechanical foremen, and others.

The first division of the National Railroad Adjustment Board commenced operations in December 1934 with a backlog of about 600 unadjusted cases inherited from the four regional train service boards

of adjustment, which were abolished at the passage and approval of the 1934 amendments to the act. During the 17 years which have passed since the Adjustment Board was created, the first division has received a total of 27,649 cases, and has disposed of 24,177. At the close of the fiscal year 1951, the first division had on hand and unadjusted 3,472 cases. At the rate of disposition, which amounted to 1,110 cases during the fiscal year, this backlog represents more than 3 years' work for the division. The second, third, and fourth divisions have received a very considerably smaller number of cases, as shown by table 13, which is carried in chapter VII of this report, and consequently they have been able throughout the years to keep practically abreast of their dockets.

During the past fiscal year, the two supplemental boards to the first division which commenced functioning in January 1950, disposed of 456 cases. One of these supplemental boards handles cases concerning engineers and firemen, and the other, those involving conductors and trainmen. To this extent, the work load which would have been imposed upon the first division has been lessened.

During the past fiscal year, the Board is glad to note and report that it has been practically unnecessary to mediate disputes between the train and engine service organizations and the carriers which included large dockets of grievance cases and time claims. This practice, which for the past several years has consumed so much of the time of the Board's staff of field mediators, has practically ceased. This change may be accounted for by two factors; first, most of the carriers have been under Army control since August 25, 1950, which has made it impractical for the organizations to set strike dates on these grievance dockets and thus force them into mediation; second, the practice of submitting these dockets of time claims and grievances to special boards of adjustment, or to arbitration, which for all practical purposes are identical in operation, has very considerably increased. This Board believes this trend to be a very healthy one, and it is to be commended. The disposition of claims and grievances in this manner not only relieves the first division of the Adjustment Board of a great volume of work, but it also works to the advantage of both carriers and organizations in securing prompt and final adjudication of these troublesome matters. During the past fiscal year, 2 special adjustment and arbitration boards were set up on various carriers for this purpose, which disposed of a total of approximately 123 cases which would normally have been taken before the first division.

While the use of special adjustment and arbitration boards for the purpose described above has been successful, it still does not touch the basic difficulties which have confronted the first division in its work since 1934. One of the most pressing of these is the question of precedents, and the extent to which they should be used in the disposition of claims and grievances both before the first division and on the individual carriers. Other differences involve questions of procedure in the handling of cases before the first division, and the manner of rendition of their decisions. All of these matters have been discussed many times by the interested parties, and the members of this Board have on several occasions in the past, attempted to render some assistance in their solution.

As noted in the sixteenth annual report, the National Mediation Board is still of the opinion that, when the present unsettled situation on the railroads subsides, and normal conditions return, it will be a

matter of vital importance for the highest executives of both the carriers and the train and engine service organizations to meet and endeavor to work out across the table some practical and satisfactory methods for the prompt and efficient handling and disposition of grievances and disputes over interpretation and application of agreement rules affecting the employees in these classes of service.

10. LABOR CONTRACTS

Section 5, third (e) of the Railway Labor Act requires all carriers subject to this law to file with the Board copies of each working agreement with employees covering rates of pay, rules, or working conditions. If no contract with any craft or class of its employees has been entered into, the carrier is required by this section to file with the Mediation Board a statement of that fact, including also a statement of the rates of pay, rules, or working conditions applicable to the employees in the craft or class. The law further requires that copies of all changes, revisions, or supplements to working agreements or the statements just referred to be also filed with this Board.

As shown in table 10 of this report, as of June 30, 1951, a total of 5,102 working agreements were on file in the office of this Board, or an increase of 2,081 agreements on file as of June 30, 1935, at the close of the first year of operation of the present Board. In addition to these basic contracts, hundreds of revisions, supplements, and memoranda of agreement are filed with the Board each year.

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 number of all cases docketed during the fiscal year 1951 was 418, as compared to 394 during the previous fiscal year. The number of mediation cases docketed during the fiscal year 1951 was 284, as compared to 266 during the previous fiscal year. The number of representation cases docketed during the fiscal year 1951 was 133, as compared to 128 during the previous fiscal year.

The number of interpretation cases is small. During the fiscal year 1951 there was only 1, while in the fiscal year 1950 there were no interpretation cases docketed, there being only 22 such cases handled since the amendment of the act in 1934.

It is to be noted that the number of mediation and representation cases remains about normal from year to year, which indicates about the same case load on the average as compared with previous years.

Total cases disposed of totaled 390 during the fiscal year 1951, as compared with 362 during the fiscal year 1950. Mediation cases disposed of during the same period were 386, as compared with 336 the previous fiscal year. Representation cases disposed of for fiscal year 1951 totaled 120, as compared with 128 for the previous year.

There were 117 mediation cases and 36 representation cases pending and unsettled at the end of the fiscal year 1951, which is 28 more cases than on record at the close of the 1950 fiscal year.

One of the reasons for an increase in the number of mediation cases pending and unsettled is due to the loss of the services of four mediators during the past 18 months with only one replacement. This also effected the increase in number of representation cases pending and unsettled; 36 at the end of the fiscal year 1951 as compared with 23 for the previous year.

TABLE 1.—*Number of cases received and disposed of, fiscal years 1935-51*

Status of cases	All types of cases					
	17-year period	Fiscal year 1951	Fiscal year 1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	5-year period 1935-39 (average)
Cases pending and unsettled at beginning of period.....	96	125	93	172	126	151
New cases docketed.....	6, 124	418	394	463	381	219
Total cases on hand and received....	6, 220	543	487	635	507	370
Cases disposed of.....	6, 067	390	362	496	347	220
Cases pending and unsettled at end of period.....	153	153	125	139	160	150
Representation cases						
Cases pending and unsettled at beginning of period.....	24	23	23	50	34	43
New cases docketed.....	2, 420	133	128	176	149	108
Total cases on hand and received....	2, 444	156	151	226	183	151
Cases disposed of.....	2, 408	120	128	186	139	107
Cases pending and unsettled at end of period.....	36	36	23	40	44	44
Mediation cases						
Cases pending and unsettled at beginning of period.....	72	102	70	122	91	108
New cases docketed.....	3, 682	284	266	286	230	110
Total cases on hand and received....	3, 754	386	336	408	321	218
Cases disposed of.....	3, 637	269	234	309	206	112
Cases pending and unsettled at end of period.....	117	117	102	99	115	106
Interpretation cases						
Cases pending and unsettled at beginning of period.....	0	0	0	0	1	0
New cases docketed.....	22	1	0	1	2	1
Total cases on hand and received....	22	1	0	1	3	1
Cases disposed of.....	22	1	0	1	2	1
Cases pending and unsettled at end of period.....	0	0	0	0	1	0

Before applications are formally docketed they are subject 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 1951, a total of 37 applications were disposed of by correspondence as a result of this preliminary investigation. Adding these to the 418 applications which were docketed, makes a grand total of 455 applications for Board services received during the year. This compares with a grand total of 421 in 1950, 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, 1951. During this 17-year period, 6,124 new cases were docketed. The inclusion of 96 pending disputes inherited from the former Board (United States Board of Mediation) increases to 6,220 the total cases requiring services of the present Board since it began operations. As of June 30, 1951, settlements had been effected in 6,067 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 17-year period total 3,682, as compared with 2,420 representation cases. The percentage ratio is 58 and 42 for the 2 types of cases. During the 17-year period, 22 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 1951, the Board disposed of 390 docketed disputes. This total includes 120 representation cases, 269 mediation cases, and 1 interpretation case. Table 2 summarizes by method of disposition all cases handled to conclusion during the 17 years of the Board's operation. Annual averages are shown for the 5-year periods 1935-39, 1940-44, and 1945-49.

TABLE 2.—*Number of cases disposed of, by type of case and method of disposition, fiscal years 1935-51*

Type of case and method of disposition	Fiscal year ended June 30—					
	17-year period 1935-51	1951	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	5-year period 1935-39 (average)
Grand total.....	6,067	390	362	496	347	220
Representation cases, total.....	2,408	120	128	186	139	107
Certification based on—						
Elections.....	1,425	87	62	113	74	68
Check of authorizations.....	534	16	39	37	38	21
Representation recognized.....	62			2	6	4
Closed without certification.....	38			5	3	
Withdrawn after investigation.....	222	13	13	16	11	8
Withdrawn before investigation.....	39	1	3	6	4	2
Dismissal.....	88	3	11	7	3	4
Mediation cases, total.....	3,637	269	234	309	206	112
Mediation agreements.....	1,927	145	129	161	116	52
Arbitration agreements.....	144	15	14	16	6	2
Withdrawn after mediation.....	561	36	41	32	39	26
Withdrawn before mediation.....	347	11	11	25	22	18
Refusal to arbitrate by—						
Carriers.....	319	31	14	38	9	8
Employees.....	135	15	11	16	4	2
Both parties.....	163	3	12	19	9	2
Dismissal.....	41	13	2	2	1	2
Interpretation of mediation agreements....	22	1	0	1	2	1

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 representa-

tives. 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 120 representation disputes disposed of during the year, 87 were settled by secret elections. Thirty-nine 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 widely scattered. The method is determined by the Board in each case after consideration of the circumstances.

Sixteen representation disputes were settled by verifying 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 1 organization seeking representation of a group of employees. These 16 cases represent 13 percent of the total number of representation cases settled during 1951. The ratio for the 17-year period 1935-51 is 22 percent.

Of the remaining 17 representation cases disposed of during the year, 1 was 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 3 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 2,408 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 1,959, 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 826,720 employees, or 91 percent, of the total of employees involved in all representation disputes disposed of by the Board during the period of 1934-51.

MEDIATION DISPUTES

The mediation of labor disputes between carriers and the representatives of their employees is the primary and most important duty of the National Mediation Board. This function of the Board is described in detail under section 5 of the Railway Labor Act. The mediatory services of the Board may be invoked by either party to a dispute, or both of them jointly, when controversies arise involving changes in rates of pay, rules, or working conditions not adjusted by the parties in direct negotiations. The Board's services may also be invoked in any other dispute not referable to the National Railroad Adjustment Board under section 3 of the act, or to system boards of adjustment set up on the airlines to handle the same general category of disputes arising on the air carriers. Up to the present time, no National Air Transport Adjustment Board has been set up under

section 205; title II, of the Railway Labor Act. The Board may also proffer its mediation services in any situation involving a labor emergency, which, in effect, means a threatened strike.

The field of disputes concerning the interpretation or application of agreement rules has been placed under the jurisdiction of the National Railroad Adjustment Board for the rail carriers by section 3 of the act, and under system adjustment boards, or a national board when such is created, for the air carriers. This was done in the 1934 and 1936 amendments to the Railway Labor Act for the specific purpose of relieving this Board of the duty of mediating grievance cases, which was one of the most potent reasons for the breakdown of the former United States Board of Mediation, created under the original Railway Labor Act of 1926. The distinct line of demarcation between the functions of the National Mediation Board and those of the National Railroad Adjustment Board are very clearly described in the decision of the United States Supreme Court in the case of *Elgin, Joliet & Eastern Railway v. G. W. Burley, et al.*, 325 U. S. 711, 725, which was commented upon at some length in the sixteenth annual report of this Board.

The Board is pleased to report that the practice of some of the labor organizations in recent years of forcing mediation of large dockets of grievance cases and time claims by setting strike dates on the carriers has very materially declined, and has not been a serious problem during the past fiscal year. This has been brought about in large part by the establishment of the supplemental boards to division 1 of the National Railroad Adjustment Board, to handle such cases involving the train, engine, and yard service brotherhoods, and also through the setting up of a number of special adjustment boards on individual rail carriers, which have disposed of a great many cases that would normally have been taken before the first division or the two supplemental boards.

Throughout the 17 years of this Board's experience under the Railway Labor Act, it has been amply demonstrated that the most satisfactory means of maintaining wholesome and stable labor relations between the carriers and their employees is through the settlement of labor disputes through direct negotiations between the parties or in mediation agreements under the auspices of this Board. Such agreements, made without compulsion, represent compromises between the positions of the respective parties, and have been found to produce better feeling and more stable employer-employee relationships than settlements imposed through arbitration or the exercise of economic strength.

It is not, of course, possible to settle all disputes arising between employer and employees by direct negotiations or through mediation agreements. In such unresolved controversies, when mediation has been found unavailing, it becomes the duty of the mediator to proffer arbitration under the provisions of sections 7 and 8 of the act. This method provides a definite means of settlement of certain disputes which, for various reasons, the parties are not inclined to settle directly or through mediation agreements. The acceptance of the Board's proffer of arbitration in such cases is not mandatory upon the parties, and if not accepted, each must then carefully consider the consequences of possible strike action by the employees, if the issues are of such importance that this course is taken.

One significant advantage in settling disputes through arbitration is the fact that arbitration boards are tripartite in nature, being com-

posed of one or two arbitrators each selected by the parties, with the neutral or neutrals appointed by the National Mediation Board in instances where the party arbitrators fail to agree on such neutrals. With this composition the parties to an arbitration each have their advocates on the arbitration board, who can explain the positions of each party fully to the neutral, thus aiding him in reaching a just decision. The Board is encouraged by the fact that during the past fiscal year 15 arbitration agreements were consummated, or 1 more than in the previous fiscal year.

In not a few instances, settlements are effected through mediation efforts, but are not closed as mediation agreements, the parties, for reasons appearing sufficient to them, preferring to settle directly, and permit the cases to be closed by withdrawal of the application for mediation. In other cases, settlements may be made before the commencement of mediation proceedings, or applications are withdrawn to permit the resumption of direct negotiations between the parties.

During the fiscal year, 269 mediation cases were disposed of by all of the methods described above. As noted above, 15 arbitration agreements were made during the past year, bringing the grand total of arbitration agreements during the 17 years' life of the present Board to 144.

Settlements made through the 3 methods of mediation agreements, withdrawal during mediation and withdrawal prior to mediation, totaled 192 during the fiscal year 1951. This figure is approximately 71 percent of the total mediation cases disposed of.

PROBLEMS IN MEDIATION

One of the most serious problems with which the Board has had to cope during the past fiscal year has been that of the unsettled wage and rules dispute involving the trunk-line rail carriers and the train and engine service brotherhoods. This dispute remained unresolved at the close of fiscal year 1951, and the details of the controversy, as well as the part played in it by the National Mediation Board, are outlined in considerable detail elsewhere in this report. Primarily, the present unsettled status of the questions included in this dispute is due to the nonacceptance of the recommendations of the so-called McDonough emergency board, made on June 15, 1950, after that board had considered the contentions of the carriers and the Order of Railway Conductors and the Brotherhood of Railroad Trainmen.

The National Mediation Board is gravely concerned at the growing tendency of the organizations to reject the recommendations of emergency boards created under section 10 of the act, particularly in cases resulting from so-called concerted handling of wage and rules movements on the Nation's railroads. This tendency has also been observed in connection with the recommendations of emergency boards which have considered disputes on the airlines under the Railway Labor Act. It is true that the recommendations of emergency boards are exactly what that term implies, and neither party to a dispute which has been so considered is bound under the law to accept them. For a good many years, however, after the passage of the Railway Labor Act in 1926 containing this provision, the recommendations made by emergency boards were almost invariably accepted by both parties as the basis for settling the dispute.

When the Railway Labor Act was passed in 1926, the frequent use

of section 10 that has been the practice in recent years was not contemplated by either labor or management. Also, although acceptance of the recommendations of emergency boards was left voluntary, it was undoubtedly the thought of the legislators, as well as of the representatives of both management and labor who sponsored the bill, that the force of public opinion would be so mobilized behind the reports and recommendations of such boards that their effect would be to afford a positive method of settling the dispute. In practice, however, the varied and oftentimes technical issues involved in such cases receive so little publicity, and are so difficult of understanding by the general public, that the effect anticipated when the law was passed has been entirely lost.

As noted in the sixteenth annual report of this Board, for a good many years it has not been found possible to settle disputes handled as concerted movements in mediation. The initial handling of movements of this character involving wage and rules changes has become rather perfunctory on the individual properties. All concerned anticipate the formation of regional conference committees by the carriers, a period of time spent in mediation efforts by the Board members, a proffer of arbitration which is rejected by one side or the other, and referral of the dispute to an emergency board, after the taking of a strike vote among the employees concerned. Until the wage movements of 1941, the recommendations of emergency boards were commonly accepted by both sides. After the experiences of that year, the pattern changed, and it has become customary to reject, rather than accept, the recommendations of emergency boards set up to handle national wage and rules movements. The outstanding exception was the acceptance of the recommendations of the board on the 40-hour week for nonoperating rail employees, made in 1948. In practically every other instance of this nature since 1941, emergency board recommendations have served only as a base to be used for securing further wage and rule concessions in a final settlement, usually made under Executive auspices. This practice during recent years has resulted in the impasse confronting the rail carriers and the operating brotherhoods at the close of fiscal year 1951.

The present situation, if it continues, can result only in a complete breakdown of the machinery for the settlement of wage and rules disputes which was so carefully and hopefully constructed by the legislators and sponsors of the Railway Labor Act in 1926. Already some quarters are urging compulsory arbitration through making the recommendations of the emergency boards a mandatory settlement. What is really needed is a renewal of faith on the part of both management and labor in the efficacy of direct negotiations and the mediatory process in bringing about the settlement of the so-called national disputes or concerted movements. Only by true collective bargaining, aided when necessary by painstaking and thorough efforts in mediation, can the handling of national disputes be brought to a successful and lasting conclusion, and the major problem of disposing of such controversies be solved.

Another problem which continues to be encountered in mediation is the multiplicity of items remaining in dispute at the close of direct negotiations and placed in mediation. Although the law contemplates and enjoins upon both parties the duty of making every reasonable effort to make and maintain agreements, the Board continues to find many cases where it is very evident that such efforts have not

been made. Some of these instances are remanded to the parties for further direct negotiations before docketing and attempting mediation. In others, even after such action, it is necessary to docket and mediate cases where a majority of the rules in the agreement remain in dispute. This results in protracted mediation efforts in bringing about settlements. In one outstanding example of this nature, involving the negotiation of an initial agreement, very lengthy mediation efforts failed to produce an agreement, and practically all of the rules proposed by both parties have been submitted to arbitration under the act. Again, there are situations where true collective bargaining in good faith by both parties will result in the reduction of the issues submitted to mediation to those on which there are honest and valid differences of opinion or views between them.

Disputes involving jurisdictional problems between various organizations again engaged the Board's attention during the past fiscal year. Among these are such questions as jurisdiction over teletype operations, handling of certain work by electrical workers or signalmen, operation of certain machines by blacksmiths or carmen, the performance of hostler helping service by shopmen, and the perennial questions of mileage regulation and promotion rules for men in engine and train service. Many disputes of this nature involve the interpretation or application of agreement rules, which is a matter under the jurisdiction of the several divisions of the National Railroad Adjustment Board. However, it has on some occasions been necessary for the National Mediation Board to assume jurisdiction in cases where strike threats have been made by one or the other of the organizations involved.

Since any real settlement of these jurisdictional questions can be made only by mutual agreement between the organizations concerned, mediation undertaken on an emergency situation created by one has little chance of proving successful. The Board, therefore, again urges that greater use be made of the existing machinery for the settlement of jurisdictional disputes among the organizations themselves. Where such machinery does not exist, efforts should be made by the executive officers to adjust these questions, where it is possible for them to do so.

Still other problems in mediation occur in instances where questions arise concerning the Board's jurisdiction under the Railway Labor Act. Such questions which have arisen in the past fiscal year include cases where efforts are being made to expand scope rules of working agreements to include such positions as chief dispatchers, general yardmasters, supervisory agents, and others involving the application of some of the provisions of ex parte 72 of the Interstate Commerce Commission. Questions of this nature are most difficult to settle in mediation, since they arise from basic differences between the carriers and the organizations on the meaning and application of these regulations, which were issued by the Commission in 1924. Possibly a re-examination of the entire subject by the Commission at this time would clarify the situation and resolve many controversies of this nature, and result in a better and more definite understanding of the exact limitations and coverage of the Railway Labor Act applying to positions in the categories outlined above.

Certain recent trends have also been noted in attempts of various organizations to secure agreements on such subjects as stabilization of employment, and fringe benefits to the employees such as additional pension allowances, insurance policies paid for by the carriers, and

other matters of like nature. In general, the carriers have so far taken the position that such requests are not proper questions for collective bargaining under the Railway Labor Act. Up to the present time, the Board has not attempted to determine its jurisdiction over such questions under 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, 131 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 131 class I carriers 106 or 81 percent were involved in disputes considered by the Board during the year.

It will be noted that during 1951 the Board considered disputes involving employees of 37 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, dining-car employees, maintenance of equipment, yardmasters, maintenance of way and signal and train dispatchers.

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 1951, airline employees accounted for 93 disputes, whereas rail carriers accounted for 297 disputes or 76 percent of the total. It should be noted that in 1950 and 1951 there were less than one-half

TABLE 3.—Number of different carriers involved in cases by classes with percentages, fiscal year 1951

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.....	131	100	106	81	48	37	100	76	-----	-----
Class II railroads.....	177	100	35	20	9	5	30	17	-----	-----
Class III railroads.....	174	100	3	2	1	(1)	2	1	-----	-----
Switching and terminal companies.....	246	100	76	31	21	9	67	27	1	(1)
Electric railroads.....	55	100	7	13	1	2	6	11	-----	-----
Miscellaneous carriers.....	(2)	(2)	15	(2)	1	(2)	14	(2)	-----	-----
Air carriers.....	50	100	37	74	22	45	25	50	-----	-----

¹ Carriers reporting to Interstate Commerce Commission during 1950.

² Not available.

³ Carriers reporting to Civil Aeronautics Authority 1950.

⁴ Less than 1 percent.

TABLE 4.—Number of cases disposed of by major group of employees,
fiscal year 1951

Major groups of employees	Number of—			
	All types of cases	Representa- tion cases	Mediation cases	Interpreta- tion cases
Grand total, all groups of employees.....	390	120	269	1
Railroad—total.....	297	93	203	1
Combined groups, railroad.....	14	4	10	
Train, engine, and yard service.....	115	32	83	
Mechanical foremen.....	7	4	3	
Maintenance of equipment.....	25	11	14	
Clerical, office, station, and storehouse.....	17	1	16	
Yardmasters.....	19	17	2	
Maintenance of way and signal.....	25	5	20	
Subordinate officials in maintenance of way.....	3	2	1	
Agents, telegraphers and towermen.....	9	1	8	
Train dispatchers.....	24	2	22	
Technical engineers, architects, draftsmen, etc.....	1		1	
Dining car employees, train and pullman porters.....	12	4	8	
Patrolmen and special officers.....	5	3	2	
Marine service.....	13	3	10	
Miscellaneous railroad.....	8	4	3	1
Airline total.....	93	27	66	
Combined airline.....	1		1	
Mechanics.....	19	7	12	
Radio and teletype operators.....	14	7	7	
Clerical, office, stores, fleet and passenger service.....	9	1	8	
Stewards, stewardesses, and flight pursers.....	12	1	11	
Pilots.....	19	6	13	
Dispatchers.....	3	1	2	
Mechanical foremen.....				
Meteorologists.....	1		1	
Flight engineers.....	10	2	8	
Miscellaneous.....	5	2	3	

as many representation disputes as mediation cases on the airlines. The proportion of airline cases to the total of all disputes has shown but little change during the past two 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 24 percent in 1951 as compared to 20 percent in each of the two previous years.

During the year 1951 there was a sharp increase in the number of airline cases disposed of under the terms of the Railway Labor Act, the total being 93 in 1951, as compared to 70 cases in 1950.

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	Repre- sentation cases	Media- tion cases	Total	Fiscal year	Repre- sentation cases	Media- tion 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	70
1944.....	8	3	11	1951.....	27	66	93
				Total.....	225	336	561

The decline in the number of airline representation disputes over the past 3 years reflects a material reduction in the amount of organizing activity among airline employees. Analysis of the 27 representation cases disposed of shows that 8 involving a total of 1,199 employees were cases in which employees were seeking to designate representatives for the first time. The remaining 13 cases involving 1,973 employees were instances in which representation rights had been previously established and the cases involved contests between 2 or more organizations for the right to represent the employees. The remaining 6 cases were withdrawn by the applicant after investigation.

III. REPRESENTATION DISPUTES

1. ELECTIONS AND CERTIFICATION OF REPRESENTATIVES

The Board received and docketed 133 representation disputes during the fiscal year 1951. Adding this number to the 23 disputes pending at the beginning of the year makes a total of 156 representation cases requiring services of the Board. Of this total, 120 were disposed of during the year, leaving 36 disputes pending on the Board's docket on June 30, 1951.

The number of representation cases docketed during 1951 was the smallest in any year since 1941, except 1950. 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 133 representation disputes docketed during 1951 is an increase of 4 percent from the 128 cases docketed during the previous year and a decline of 33 percent from the average of 176 cases docketed annually during the 5-year period 1945-49.

In representation disputes disposed of, the total was 120 in 1951 as compared to 128 disposed of in 1950.

The Railway Labor Act requires that representation disputes be resolved by crafts or classes. Many docketed cases involve more than 1 craft or class and some involve as many as 6 or 7 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 144 crafts or classes in the 120 cases disposed of in 1951.

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 1951, as compared to 1950, there was also a sharp decline in the number of employees involved. The total representation cases settled in 1951 involved 21,822, as compared to 66,859 employees in cases settled during 1950. The number of cases declined 7 percent, while the number of employees involved decreased 67 percent. This sharp decline in the number of employees in cases settled during 1951 is the result of a single representation dispute involving some 43,000 employees of the Pennsylvania Railroad settled during 1950 and as there were no exceptionally large cases handled in 1951, this materially reflected a large decrease in the number of employees involved.

Of the 120 representation cases disposed of during 1951, certifications were issued in 103 cases, involving 127 separate crafts or classes. Representation rights were thus determined under provisions of the act for a total of 21,786 employees. The remaining 17 cases were disposed of as follows: In 1 case the application was withdrawn prior to the investigation by the mediator and in 13 cases the applications were withdrawn following the mediators' investigation. In 3 cases the applications were dismissed. Dismissals are made for various reasons. One case was dismissed when the results of the election 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 one case it was determined that the application 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, there is no alternative, when the applicant organizations decline to withdraw, but to dismiss the applications. In one case 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 this case the suggestion to withdraw was declined and therefore the application was dismissed.

During the fiscal year, 19,181 employees participated in cases where elections were conducted or authorizations were checked. This constitutes 88 percent of the employees involved in such cases. The percentage of (92 percent) employee participation has remained high throughout the years 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 17-year period 1935-51 the number of representation cases, crafts or classes, employees involved, and participating in elections, subdivided by methods of disposition.

TABLE 5.—Number of cases, crafts or classes, and employees involved in representation disputes, by method of disposition, fiscal years 1935-51

Method of disposition	17-year period 1935-51	Number of cases					17-year period 1935-51	Number of crafts or classes				
		Fiscal year						Fiscal year				
		1951	1950	Average 5-year period 1945-49	Average 5-year period 1940-44	Average 5-year period 1935-39		1951	1950	Average 5-year period 1945-49	Average 5-year period 1940-44	Average 5-year period 1935-39
Total, all cases.....	2, 408	120	128	186	139	107	3, 370	144	154	220	179	215
Elections.....	1, 425	87	62	113	74	68	2, 083	108	77	136	101	142
Check of authorizations.....	534	16	39	37	38	21	734	19	46	43	49	42
Representation recognized.....	62			2	6	4	81			3	7	7
Withdrawn after investigation.....	222	13	13	16	11	8	246	13	15	19	11	13
Withdrawn before investigation.....	39	1	3	6	4	2	84	1	5	6	5	4
Dismissal.....	88	3	11	7	3	4	104	3	11	8	3	7
Closed without certification.....	38			5	3		38			5	3	

Method of disposition	17-year period 1935-51	Number of employees involved					17-year period 1935-51	Number of employees participating				
		Fiscal year						Fiscal year				
		1951	1950	Average 5-year period 1945-49	Average 5-year period 1940-44	Average 5-year period 1935-39		1951	1950	Average 5-year period 1945-49	Average 5-year period 1940-44	Average 5-year period 1935-39
Total, all cases.....	902, 798	21, 822	66, 859	66, 285	31, 486	65, 053	683, 176	19, 207	59, 691	48, 960	24, 241	47, 658
Elections.....	758, 376	21, 128	60, 174	58, 783	25, 811	50, 815	651, 776	18, 699	58, 597	47, 467	22, 786	44, 640
Chief of authorizations.....	42, 242	658	1, 198	1, 144	2, 254	4, 679	27, 392	482	941	826	1, 350	3, 018
Representation recognized.....	26, 102			259	267	4, 695						
Withdrawn after investigation.....	38, 728		2, 746	2, 952	1, 709	2, 535						
Withdrawn before investigation.....	13, 476		292	1, 435	1, 030	172						
Dismissal.....	19, 658	36	2, 449	973	305	2, 157	1, 022	26	153	169		
Closed without certification.....	4, 216			739	110		2, 986			498	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 32 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-way and signal employees as accounting for the largest proportion of employees in representation cases. Usually the maintenance-of-equipment employees show the largest number of employees involved in elections, however, this group of employees was surpassed by the maintenance-of-way and signal employees by reason of an election on the Santa Fe System among maintenance-of-way employees totaling 11,700.

TABLE 6.—*Number of crafts or classes and number of employees involved in representation cases, by major groups of employees, fiscal year 1951*

Major groups of employees	Number of cases	Number of crafts or classes	Employees involved	
			Number	Percent
Grand total, all groups of employees	120	144	21,822	100
Railroad, total	93	117	18,736	86
Train service	9	10	368	2
Engine service	20	23	1,929	9
Yard service	3	3	84	(1)
Mechanical foremen	4	4	914	4
Maintenance of equipment	11	17	937	5
Clerical, office, station and storehouse	1	1	35	(1)
Yardmasters	17	17	885	4
Maintenance-of-way and signal	5	5	12,146	56
Subordinate officials, maintenance-of-way	2	2	67	(1)
Agents, telegraphers and towermen	1	1	8	(1)
Dispatchers	2	2	4	(1)
Technical engineers, architects, draftsmen, etc.	0	0	0	
Dinning car employees, train and pullman porters ..	4	4	160	1
Patrolmen and special officers	3	3	269	1
Marine service	3	3	159	1
Combined groups, railroad	4	18	519	2
Miscellaneous railroad	4	4	252	1
Airline, total	27	27	3,086	14
Mechanics	7	7	1,356	6
Radio and teletype operators	7	7	1,401	7
Clerical, office, stores, fleet and passenger service ..	1	1	29	(1)
Stewards, stewardesses and pursers	1	1	42	(1)
Dispatchers	1	1	0	
Pilots	6	6	172	1
Mechanical foremen	0	0	0	
Flight engineers	2	2	32	(1)
Miscellaneous	2	2	54	(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, AFL. For some years these organizations have represented approxi-

mately 95 percent of the Nation's 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 1938-51 in representation cases involving maintenance-of-equipment employees as compared to other representation cases. The totals for employees during the years 1946, 1947, and 1950, are abnormally large because in each of those years elections were conducted among shop-craft employees of the Pennsylvania Railroad.

There were 11 elections conducted among maintenance-of-equipment employees with only 937 employees involved. The small number of employees involved is the result of elections conducted on small properties and is indicative of the fact that the near maximum number of this type of employees is represented by a labor organization.

Fiscal year	Cases		Crafts or classes		Employees	
	Number	Percent of total	Number	Percent of total	Number	Percent of total
1951.....	11	9	17	15	937	04
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	22,359	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 and 1951. The 27 cases involving 3,086 airline employees during 1951 compares with 32 cases and 7,978 employees during the previous year. Of the 7 cases involving airline mechanics, 3 were disputes between contesting organizations for representation rights, 1 for designation of representation for the first time. In the 3 remaining cases the applications were withdrawn after investigation by the mediator, all of which were the result of insufficient evidence presented to warrant authorizing an election.

3. CERTIFICATIONS ISSUED

Table 7 presents a distribution, by types of labor organizations, of certifications issued by the Board during the fiscal year 1951. 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 21,882 employees and of this number, more than 99 percent designated national labor organizations.

The table also shows that of the 21,882 employees for whom certifications were issued, representation was changed as a result of elections for 75 percent of the employees and remained unchanged for 17 percent. The table also shows that representation rights were acquired for only 8 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 1951

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, 103 cases.....	124	21, 882	100	122	21, 678	99	1	2	(1)	1	202	1
Elections.....	105	21, 214	97	103	21, 010	96	1	2	(1)	1	202	1
Proved authorizations.....	19	668	3	19	668	3						
Representation acquired.....	46	1, 731	8	46	1, 731	8						
Elections.....	30	1, 410	6	30	1, 410	6						
Proved authorizations.....	16	321	1	16	321	1						
Representation changed.....	49	16, 502	75	48	16, 500	76	1	2	(1)			
Elections.....	46	16, 155	74	45	16, 153	74	1	2	(1)			
Proved authorizations.....	3	347	2	3	347	2						
Representation unchanged.....	29	3, 649	17	28	3, 447	16				1	202	1
Elections.....	29	3, 649	17	28	3, 447	16				1	202	1
Proved authorizations.....												

¹ Less than 1 percent.

4. EXTENT AND NATURE OF LABOR REPRESENTATION

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, 1951. 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, 1951*

Organization and craft or class	Extent of representation on June 30, 1951		Percent of total mileage covered on June 30—				
	Number of carriers	Mileage covered	1951	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year period 1936-39 (average)
Total.....	136	253, 235					
Brotherhood of Locomotive Engineers:							
Locomotive engineers.....	116	234, 779	93	97	96	97	98
Locomotive firemen, hostlers, and hostler helpers.....	3	493	(1)	3	(2)	(2)	(2)
Brotherhood of Locomotive Firemen and Enginemen:							
Locomotive firemen, hostlers, and hostler helpers.....	130	252, 026	99	99	98	99	98
Locomotive engineers.....	3	493	(1)	(1)	3	2	1
United Mine Workers of America:							
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)	(1)	(2)		
Railroad Industrial Union:							
Locomotive engineers.....	1	716	(1)	(1)	(2)		
Locomotive firemen, hostlers, and hostler helpers.....	1	716	(1)	(1)	(2)		
Order of Railway Conductors of America:							
Conductors (road).....	100	219, 853	87	86	85	95	
Brakemen, flagmen, baggagemen (road).....	6	710	(1)	(1)	(2)	(2)	(2)
Yard foremen, helpers and switchtenders.....	2	8, 299	3	3	4	4	4
Yardmasters.....	3	311	(1)	4	4	6	5
Dining car stewards.....	1	7, 968	3	3	4	6	10
Dining car cooks.....	4	16, 880	7	7	7	8	6
Parlor and sleeping car conductors.....	1	10, 671	4				
Brotherhood of Railroad Trainmen:							
Conductors (road).....	35	38, 992	15	14	15	7	2
Brakemen, flagmen, baggagemen (road).....	128	251, 919	99	99	99	99	99
Yard foremen, helpers and switchtenders.....	119	227, 264	90	93	89	92	92
Yardmasters.....	26	30, 179	12	13	11	13	7
Dining car stewards.....	44	165, 344	65	73	73	69	59
Dining car cooks and waiters.....	1	7, 516	3	(1)	(2)	(2)	
Passenger representatives.....	2	13, 076	5	2	3		
Taproom attendants.....	1	8, 830	3				
Motorcar operators.....	1				1		
Bus and/or truck drivers.....	1	4, 316	2	2			
Gate-men.....	1	8, 144	3	4	4		
Hump motorcar operators.....	1	9, 714	4	4	4		
Switchmen's Union of North America:							
Yard foremen, helpers and switchtenders.....	9	23, 746	10	10	11	9	10
Railroad Yardmasters of America:							
Yardmasters.....	45	149, 956	60	64	61	45	34
Stationmasters.....	2	8, 924	4	4	4	(2)	(2)
Portmasters.....	1	10, 671	4	5	5		
Railroad Yardmasters of North America:							
Yardmasters.....	7	16, 722	7	5	6	5	4
Stationmasters.....	2	10, 744	4	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, 1951—Continued

Organization and craft or class	Extent of representation on June 30, 1951		Percent of total mileage covered on June 30—				
	Number of carriers	Mileage covered	1951	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	252, 678	100	99	99	98	96
Red caps, ushers, and station attendants.....	2	11, 720	5	8	4		
Stationmasters.....	1	5, 116	2	2	2		
Grain elevator employees.....	2	16, 723	7	7	7		
Coal pier foremen.....	1	5, 116	2	2			
Coal cranemen.....	1	966	(1)		(2)		
Coal dumper employees.....	1	573	(1)	(1)	(2)		
Ore dock workers.....	3	13, 087	5	6	6		
Gatemmen.....	1	9, 714	4	4	4		
Bus and/or truck drivers.....	1	7, 577	3	3	3		
Laundry workers and/or seamstresses.....	1	7, 577	3	7	4		
Hotel and restaurant employees.....	1	9, 720	4		4		
Telegraphers, towermen, and agents.....	1	191	(1)	(1)	(2)	(2)	(2)
United Transport Service Employees:							
Dining car cooks and waiters.....	8	35, 081	14	14	14	2	
Maid and chair car attendants.....	1	4, 778	2	2	2		
Train, coach, parlor, sleeping, and club car porters.....	7	23, 542	9	5	6	(2)	
Taproom attendants.....	1	1, 815	(1)	(1)	1		
Red caps, ushers, and station attendants.....	13	63, 037	25	28	33	27	12
The Order of Railroad Telegraphers:							
Telegraphers, towermen, and agents.....	128	252, 275	100	99	99	99	98
Train dispatchers.....	5	21, 314	8	1	1	3	2
Telegraph and telephone linemen.....	6	17, 805	7	2	5	5	4
Brotherhood of Railroad Signalmen of America:							
Signalmen.....	104	232, 308	92	96	95	91	87
Telegraph and telephone linemen.....	4	3, 248	1	1	2	1	
American Train Dispatchers Association:							
Train dispatchers.....	111	229, 989	91	94	93	80	78
Boat dispatchers.....	2	14, 868	6	6	6		
Power dispatchers.....	2	2, 257	1	1	(2)		
Railway Employees' Department, A. F. of L.:							
Supervisors of mechanics.....	7	14, 322	6	6	91	3	
Molders.....	1	6, 202	2	2	3		
Laundry workers and/or seamstresses.....	1	8, 144	3	4	4		
Motorcar repairmen.....	1	1, 195	(1)	(1)	(1)		
Brotherhood of Maintenance of Way Employees:							
Maintenance-of-way employees.....	134	253, 035	100	93	94	94	92
Shop laborers.....	1	8, 830	3	4	4	3	3
Stockyard employees.....	1	966	(1)	(1)	(2)		
Coal pier operators.....	2	3, 392	1	1	2		
Drawbridge operators.....	1	9, 714	4	4	4		
Foremen in electric traction department.....	1	981	(1)	(1)	(2)		
Crossing tenders.....	1	4, 635	2	2	2		
Hoisting engineers.....	1	5, 116	2	2			
Hump motorcar operators.....	1	7, 139	3	3			
Water service employees.....	1						
International Association of Machinists:							
Machinists.....	128	251, 263	99	99	94	87	81
International Brotherhood of Boilermakers, Iron Ship Builders, and Helpers of America:							
Boilermakers.....	126	241, 163	95	95	94	87	76
International Brotherhood of Blacksmiths, Drop Forgers, and Helpers:							
Blacksmiths.....	123	239, 573	95	96	89	81	77
Sheet Metal Workers International Association:							
Sheet metal workers.....	125	251, 047	99	99	94	87	76
Molders.....	3	8, 646	3	4	4		
Foundry employees.....	1	10, 671	4	5	5		
Water service employees.....	2	4, 182	2	1	4		

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, 1951—Continued

Organization and craft or class	Extent of representation on June 30, 1951		Percent of total mileage covered on June 30—				
	Number of carriers	Mileage covered	1951	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.....	120	239, 290	94	94	93	87	79
Telegraph and telephone linemen.....	25	112, 630	44	48	40	33	-----
Signalmen.....	3	1, 580	(1)	(1)	1	1	1
Coal pier operators.....	2	5, 775	2	3	3	-----	-----
Coal dumper employees.....	1	5, 116	2	2	2	-----	-----
Substation operators.....	1	10, 671	4	5	5	-----	-----
Brotherhood Railway Carmen of America:							
Carmen.....	129	241, 882	96	95	94	87	78
International Brotherhood of Firemen, Oilers, Helpers, Roundhouse, and Railway Shop Laborers:							
Powerhouse employees and railway shop laborers.....	122	240, 516	95	95	94	87	71
Hotel and Restaurant Employees International Alliance and Bartenders Union:							
Cooks and waiters.....	48	143, 300	57	62	65	71	58
Coach, sleeping car, parlor car, and club car porters.....	8	38, 578	15	18	15	9	-----
Hotel and restaurant employees.....	4	28, 945	11	14	5	-----	-----
Bartenders.....	3	25, 892	10	11	10	-----	-----
Maids and chair car attendants.....	1	571	(1)	(1)	-----	-----	-----
Platform vendor service employees.....	1	6, 540	3	3	3	-----	-----
American Railway Supervisors Association:							
Yardmasters.....	4	10, 765	4	5	5	4	4
Supervisors of mechanics.....	30	100, 758	40	35	31	17	6
Wire chiefs.....	1	7, 968	3	4	4	-----	-----
Stationmasters.....	1	7, 968	3	4	4	-----	-----
Roadmasters.....	2	9, 757	4	4	3	-----	-----
Technical employees.....	6	22, 484	9	11	2	-----	-----
Subordinate officials in maintenance of way and structures department.....	9	24, 710	10	9	6	-----	-----
Foundry employees.....	1	7, 577	3	-----	-----	-----	-----
Brotherhood of Sleeping Car Porters:							
Coach, sleeping car, parlor car, and club car porters.....	28	120, 240	47	49	45	31	10
Maids and chair car attendants.....	3	23, 542	9	9	8	-----	-----
Porter brakemen.....	1	13, 074	5	6	5	-----	-----
Railway Patrolmen's International Union, AFL:							
Railway patrolmen.....	38	108, 874	43	47	46	17	-----
Utility Workers Organizing Committee:							
Machinists.....	1	97	(1)	(1)	(2)	(2)	-----
Boilermakers.....	1	97	(1)	(1)	(2)	(2)	-----
Blacksmiths.....	-----	-----	-----	-----	-----	-----	-----
Sheet metal workers.....	-----	-----	-----	-----	-----	-----	-----
Electrical workers.....	-----	-----	-----	-----	-----	-----	-----
Carmen.....	-----	-----	-----	-----	-----	-----	-----
Powerhouse employees and railway shop laborers.....	1	97	(1)	(1)	(2)	(2)	-----
Brotherhood of Railroad Shop Crafts of America:							
Machinists.....	-----	-----	-----	-----	4	3 4	-----
Boilermakers.....	-----	-----	-----	-----	-----	3 4	-----
Blacksmiths.....	1	981	(1)	-----	5	3 7	-----
Sheet metal workers.....	-----	-----	-----	-----	(2)	2 4	-----
Electrical workers.....	1	981	(1)	(1)	(2)	3 4	-----
Carmen.....	-----	-----	-----	-----	(2)	2 4	-----
Bricklayers.....	-----	-----	-----	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, 347	3	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, 1951—Continued

Organization and craft or class	Extent of representation on June 30, 1951		Percent of total mileage covered on June 30—				
	Number of carriers	Mileage covered	1951	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year period 1936-39 (average)
International Union of Steam and Operating Engineers:							
Hoisting and portable engineers in stores dept.				(1)	1		
Hoisting engineers	2	8,378	3	7	4		
Grain Elevator employees					3		
International Longshoremen's Association:							
Wharf freight handlers	1	3,882	2	(1)	(2)		
Grain elevator employees	1	3,882	2	(1)	(2)		
Coal dumper employees	3	1,630	(1)	(1)	(2)		
Coal pier operators	2	5,236	2		2		
International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers:							
Bus and truck drivers	1	8,316	3	4	4		
American Brotherhood of Railway Police:							
Patrolmen	1	6,631	3	3	3		
United Railroad Workers of America (C. I. O.):							
Boilermakers				4	4		
Blacksmiths	2	6,007	2	(1)	2		
Sheet metal workers					4		
Powerhouse employees and railway shop laborers				4	4		
Molders				4	6		
Maintenance-of-way employees				6			
Int'l. Longshoremen and Warehousemen's Unions, CIO:							
Coal dumper employees	1	659	(1)	(1)	(2)		
Amalgamated Association Street, Electric Railway and Motor Coach Employees of America, A. F. L.:							
Bus and/or truck drivers	1	596	(1)	(1)	(2)		
System Associations:							
Locomotive engineers						1	1
Locomotive firemen, helpers, and hostler helpers						1	1
Yardmasters	4	8,530	3	4	5	6	6
Clerical, office, station, and storehouse employees						1	5
Telegraphers, towermen, and agents					(2)	6	
Dispatchers	2	7,113	3	3	3	11	11
Maintenance-of-way employees						6	8
Machinists	3	1,216	(1)	(1)	(2)	11	19
Boilermakers	4	1,381	(1)	(1)	1	12	23
Blacksmiths	4	1,381	(1)	(1)	2	17	23
Sheet metal workers	3	1,271	(1)	(1)	(1)	11	22
Electrical workers	2	322	(1)	(1)	1	11	23
Carmen	4	1,381	(1)	(1)	1	11	22
Powerhouse employees and railway shop laborers	1	165	(1)	(1)	(2)	10	22
Dining car stewards	2	2,671	1	(1)	2	3	4
Cooks and waiters	1	2,413	(1)	(1)	1	9	15
Coach, sleeping car, parlor car, and club car porters						6	14
Supervisors of mechanics	8	42,818	17	20	22	16	17
Railway patrolmen	5	13,989	6	7	6	4	
Stationmasters	3	10,466	4	5	4		
Foundry employees					3		
Printer	1	6,202	2	3	3		
Wire chief				(1)	(2)		
Coal dumper employees							
Technical engineers, architects, draftsmen, and allied workers	8	14,554	6	6	6		
Nurses	1	8,144	3	4			
Drawbridge operators				(1)			
Subordinate officials in maintenance-of-way and structures department	4	18,556	7	8	8	4	4
Foremen in electric traction department	1	366	(1)		(2)		
Telephone and telegraph linemen				(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, 1951—Continued*

Organization and craft or class	Extent of representation on June 30, 1951		Percent of total mileage covered on June 30—				
	Number of carriers	Mileage covered	1951	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year period 1936-39 (average)
Local Unions:							
Firemen and hostellers.....	1	196	(1)	(1)	(2)	1	2
Brakeman, flagmen, and baggagemen.....	3	1,460	(1)	(1)	(2)	(2)	(2)
Yard foremen, helpers, and switchtenders.....	3	1,656	(1)	(1)	(2)	(2)	(2)
Cooks and waiters.....	1	555	(1)	6	6	5	-----
Coach, parlor car, club car, and sleeping car porters.....	2	6,734	3	3	3	8	-----
Supervisors of mechanics.....	2	1,627	(1)	(1)	(2)	1	-----
Technical engineers, architects, draftsmen, and allied workers.....				(1)	1		-----
Wharf freight handlers.....	1	6,631	3	3	3		-----
Car riders.....				(1)	(2)		-----
Subordinate officials in maintenance-of-way and structures department.....	1	7,139	3	4	4		-----
Hump motor car operators.....	1	659	(1)				-----

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, 1951*

Organization and craft or class	Number of railroads as of June 30—				
	1951	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.....	19	20	22	23	23
Unlicensed deck.....	9	9	9	8	3
Float watchmen.....	5	5	4	3	-----
National Marine Engineers' Beneficial Association:					
Licensed engine.....	16	16	17	20	18
Unlicensed engine.....				2	1
Seafarers' International Union of North America:					
Unlicensed deck.....				2	6
Unlicensed engine.....	1	1	1	4	5
Marine cooks and stewards.....			1	2	4
International Longshoremen's Association:					
Licensed deck.....	2	2	2	4	9
Licensed engine.....	2	2	2	3	2 6
Unlicensed deck.....	1	1	1	6	3 5
Unlicensed engine.....	2	2	1	6	2 6
Coal dumper employees.....					-----
Lighter captains.....	6	6	6		-----
Float watchmen.....	1	1	1	3	1
Longshoremen.....	1	2	2		-----
Marine shop employees.....		1	1		-----
Hoisting engineers.....	1	1	1		-----
Grain boat captains.....	1	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, 1951—Continued

Organization and craft or class	Number of railroads as of June 30—				
	1951	1950	5-year period 1945-49 (average)	5-year period 1940-44 (average)	4-year ¹ period 1936-39 (average)
National Maritime Union:					
Unlicensed deck.....	5	5	5	1	-----
Unlicensed engine.....	5	5	5	1	-----
Marine cooks and stewards.....	3	3	3	-----	-----
Float watchmen.....	-----	-----	-----	-----	-----
Grain elevator employees.....	1	1	1	-----	-----
United Mine Workers, District 50:					
Licensed deck.....	3	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	1	1	-----
Unlicensed engine.....	1	1	1	1	-----
United Railroad Workers of America, CIO:					
Licensed deck.....	1	1	1	-----	-----
Licensed engine.....	5	5	3	-----	-----
Unlicensed deck.....	5	5	5	-----	-----
Unlicensed engine.....	6	6	5	-----	-----
Lighter captains.....	1	1	1	-----	-----
Boat dispatchers.....	1	1	1	-----	-----
Marine shop employees.....	1	1	-----	-----	-----
Foremen's Association of America:					
Licensed deck.....	3	2	2	-----	-----
Licensed engine.....	4	4	2	-----	-----
Order of Railroad Telegraphers:					
Purser-radio operators.....	1	1	1	-----	-----
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express, and Station Employees:					
Pursers and assistants.....	1	1	1	-----	-----
Inlandboatmen's Union of the Pacific:					
Unlicensed deck.....	2	1	1	-----	-----
Unlicensed engine.....	2	1	1	-----	-----
International Association of Railway Employees:					
Unlicensed deck.....	1	1	1	-----	-----
Unlicensed engine.....	1	1	1	-----	-----
Hotel and Restaurant Employees and Bartenders Inter- national Alliance:					
Marine chefs, cooks, and waiters.....	1	1	1	-----	-----
System Associations:					
Licensed deck.....	1	1	1	2	3
Licensed engine.....	1	1	1	2	6
Unlicensed deck.....	1	1	1	1	1
Unlicensed engine.....	2	2	2	1	2
Coal dumper employees.....	-----	-----	-----	1	-----
Local Unions:					
Licensed deck.....	-----	-----	-----	4	2
Licensed engine.....	-----	-----	-----	4	1
Unlicensed deck.....	3	3	3	4	6
Unlicensed engine.....	3	3	3	4	9
Marine cooks and stewards.....	1	1	1	4	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 1951, the total number of mediation cases disposed of was 269 or an increase of 35 cases over the previous year. A total of 284 mediation cases were docketed during the year 1951, this figure also being an increase of 18 cases over the number docketed in the fiscal year 1950. The 284 cases docketed during the fiscal year compares favorably with the previous years and the 5-year average 1945 to 1949 which does not indicate a trend of lessening or increasing the number of mediation disputes docketed over a period of the last 7 years.

As of June 30, 1951, there were 117 mediation cases remaining open and unsettled on the Board's open docket, as compared with 102 on this date at the end of the previous fiscal year. Of these 117 cases, 93 are distributed among 17 different railroad organizations of which 22 were filed by the Brotherhood of Railway & Steamship Clerks, 18 by the American Train Dispatchers Association. Of one hundred and seventeen mediation cases remaining open twenty-four were on Air Lines and are distributed among 5 organizations.

1. MEDIATION AND ARBITRATION AGREEMENTS

As previously stated in chapter II of this report, a grand total of 207 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 4 methods of disposition accounted for 77 percent of the 269 mediation cases closed during the fiscal year. A total of 8 docketed mediation cases were referred to emergency boards created under section 10 of the Railway Labor Act during 1951, after arbitration had been declined by one or both parties, and strike dates were set which threatened serious interruption to interstate commerce.

During the present Board's life of 17 years, since the passage of the 1934 amendments to the act, mediation agreements have accounted for 53 percent of the total number of mediation cases disposed of. This percentage during the fiscal year 1951 was 53.9 or an increase of 1.9 percent over the fiscal year 1950.

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 1935-51*

Issues involved	17-year period	1951	1950	Average for 5-year period, 1945-49	Average for 5-year period, 1940-44	Average for 5-year period, 1935-39
Total, all cases.....	1,945	145	129	164	117	54
Negotiation of new agreements, etc.....	233	12	9	16	15	12
Changes in rates of pay.....	634	62	29	45	50	14
Changes and revisions in rules, etc.....	958	57	71	95	46	25
Miscellaneous cases.....	120	14	20	8	6	3

During the fiscal year 1951, arbitration agreements were executed disposing of 8 docketed cases. In addition, 13 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 207 mediation cases settled by mediation and arbitration agreements and withdrawals, 62 additional mediation cases were disposed of by other methods. Of this number, 49 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. Thirteen cases were dismissed by Board action.

Of the 49 instances in which proffers of arbitration were declined, this action was taken by the carriers in 31 cases and by the employees in 15. Three 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 1951, the Board handled and disposed of a total of 66 cases involving the commercial airlines and various groups of their employees. This figure is an increase of 17 cases over the total of 49 airline cases settled during the previous fiscal year. It also represents approximately 25 percent of the total of 269 mediation cases disposed of during the year. These 66 cases, however, together with 27 representation disputes involving airline employees, consumed approximately 24 percent of the 6,160 total mediation days spent on mediation and representation cases during the past fiscal year. 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 fiscal year 1951, airline representation cases numbered 27 as compared with 21 in the year 1950 and 32 in the year 1949. Airline mediation cases increased to 66 in the year 1951 as compared to 49 in 1950. The grand total of airline mediation cases disposed of from 1936 to June 30, 1951, was 339.

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 15 arbitration agreements entered into during the current fiscal year, 13 of which were from cases that were handled in mediation and 2 arbitration agreements otherwise entered into between the parties. Awards were made in all but 4 of these cases, 3 of which were withdrawn and 1 dismissed by Board action. Summarized below are 15 arbitration cases disposed of during this year, 4 of which were on cases covered by arbitration agreements entered into in prior year.

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, N. Y.; Mr. J. E. De Sutter, 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. Mr. Swacker was designated as chairman.

Hearings were held in Pittsburgh, Pa., commencing January 16, 1950, 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 20, 1950.

The supplemental award was rendered July 21, 1950, on 21 cases not disposed of after referral back to parties for possible accord. Eleven cases were sustained by the Board, nine cases denied and one was withdrawn during the hearings.

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

The 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, Chicago, Ill., third arbitrator, appointed by the National Mediation Board. Mr. Gilden was designated as chairman.

Hearings were held in St. Paul, Minn., commencing June 5, 1950, and the award was rendered August 8, 1950. Extended hearings were entered into by stipulations between the parties. The carrier did not sign the award. The questions submitted to the Arbitration Board were regarding contract work, hours or overtime, and working conditions. The Board sustained that the carrier was in violation of agreement regarding handling conversion and overhaul work on DC-4 equipment.

CASE A-3354, ARB. 137.—*Delaware, Lackawanna & Western Railroad Co. and Switchmen's Union of North America*

Members of the Arbitration Board were Mr. W. G. White, representing the carrier; Mr. J. P. Brindley, representing the Switchmen's Union of North America; and Honorable Curtis W. Roll, Kokomo, Ind., who was selected as the neutral arbitrator by the party representatives. Mr. Roll was designated as chairman.

Hearings were held in New York, N. Y., beginning May 25, 1950, recessed June 7 and reconvened August 22, and the award was made on August 28, 1950, an extension of time having been stipulated by the parties. The questions to be arbitrated involved 17 time claims and grievances.

The organization representative dissented from the award.

CASE A-3362, ARB. 138.—*United Air Lines, Inc. and International Association of Machinists, District 141*

Members of the Arbitration Board were Mr. L. D. Bean, representing the carrier; Mr. J. C. McGlon, representing the organization and Dr. Steward Scrimshaw of Milwaukee, Wis., selected by the parties. Dr. Scrimshaw was designated as chairman.

Hearings were held in Chicago, Ill., from July 31 to August 15, 1950. The Board reconvened in the city of Milwaukee on August 28, 1950, the date the award was made, which was dissented by the carrier. The dispute involved changes in the scope rules in various articles and rates of pay. The Board awarded 6 cents per hour increase to all personnel in rates or rate ranges with a minimum of \$1.50, and to all other rates and rate ranges the Board awarded an increase of 4 cents per hour.

CASE A-3355, ARB. 142.—*Trans World Airlines, Inc. and International Association of Machinists*

Withdrawn by supplemental agreement dated September 22, 1950, transmitted by letter dated September 26, 1950, under paragraph 1 of said agreement referring to arbitration agreement of June 30, 1950; i. e., through mutual agreement and in accordance with section 6 of said arbitration agreement.

CASE A-3306, ARB. 143.—*Northwest Airlines, Inc. and International Association of Machinists*

Members of the Board were Mr. M. B. Freeburg, representing the carrier; Mr. J. L. Reeves, representing the organization, and Judge Frank P. Douglass, Pine, Colo., third arbitrator.

This case was withdrawn April 10 and our file closed May 7, 1951, as the questions set out in the fourth section of the arbitration agreement of July 21, 1950, had been disposed of by mutual agreement; thus, the Board did not convene.

CASES A-3393, A-3394, A-3395, A-3396, A-3397, A-3398, A-3399, ARB. 144.—*Grand Trunk Western Railroad Co., Chesapeake & Ohio Railroad Co. (Pere Marquette District), Chesapeake & Ohio Railroad Co. (Pere Marquette District) Grand Trunk Western Railroad Co., Wabash Railroad Co., The Ann Arbor Railroad Co., respectively, and the Great Lakes Licensed Officers Organization, F. A. A.*

The members of the Arbitration Board were Mr. M. W. Cronk, representing the carrier, Mr. Frank C. Hawkes, representing the organization. The party arbitrators being unable to agree upon the third arbitrator, the National Mediation Board appointed Judge Frank P. Douglas as the third arbitrator, who was selected as chairman.

Hearings were held in Detroit, Mich., and began on September 14, 1950. The specific questions of the disputes concerned rates of pay, rules, and working conditions for marine service employees.

The award was dated October 6, 1950, which denied most of the questions in arbitration.

CASE No. A-3448, ARB. 145.—*Peoria & Pekin Union Railway Co. and Brotherhood of Railroad Trainmen*

Members of the Arbitration Board were Mr. G. J. Willingham, representing the carrier; Mr. E. B. Welcome, representing the organization, and Judge Robert G. Simmons, Lincoln, Nebr., third arbitrator. The party arbitrators being unable to agree upon the third arbitrator, the National Mediation Board appointed Judge Robert G. Simmons, who was selected as chairman.

Hearings were held in Peoria, Ill., beginning September 12, 1950, and the award was rendered November 3, 1950, of which the employees dissented and the carrier dissented en parte.

The matters submitted to arbitration were 54 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 August 9, 1950. The award sustained 5 claims; denied 47; 2 claims were withdrawn prior to arbitration proceeding. Mr. Welcome dissented from the award in several claims.

CASE No. A-3509, ARB. 147.—*Birmingham Southern Railroad Co. and Brotherhood of Locomotive Firemen and Enginemen*

Members of the Arbitration Board were Mr. Victor Parvin, representing the carrier; Mr. Wm. C. Lash, representing the organization; and Mr. William Howard Payne, Washington, D. C., third arbitrator, appointed by the National Mediation Board, who was selected as chairman.

The questions submitted to arbitration were the increase in basic hourly rates to 25½ cents due to 40-hour workweek and payment of an arbitrary to engineers, firemen (Diesel helpers) and hostlers, for the use of radiotelephones on locomotives.

Hearings began October 23, 1950, in Birmingham, Ala., and the award was rendered November 8, 1950, unanimously. The basic hourly rate in the sum of 25½ cents was granted; the arbitrary payment to engineers required to use the radiotelephone was 10 cents per hour for not less than 8 hours; for firemen (Diesel helpers), the arbitrary of 8 cents per hour for not less than 8 hours; payment of arbitrary, in any amount, to hostlers was denied.

CASE No. A-3512, ARB. 148.—*Fort Worth & Denver City Railway Co. and Railway Employees' Department, AFL, System Federation No. 140*

Members of the Arbitration Board were Mr. W. O. Frame, representing the carrier; Mr. R. M. Chute, representing the organization; and Mr. Nathaniel S. Clark, third arbitrator. The National Mediation Board appointed Mr. Clark, who was selected as chairman.

Arbitration proceedings were held in Fort Worth, Tex., beginning on November 6, 1950. The question to be decided was an upward

adjustment of rates of pay of water-service employees (mechanics and helpers) in the sheet-metal workers craft to the level of other shop craft organizations.

The award was rendered November 10, 1950, and dissented by the carrier. The award provided that the present base rates of employees in question be raised as follows: Pump repair men, from \$1.582 per hour to \$1.67 per hour; helpers from \$1.342 per hour to \$1.39 per hour.

ARB. 149.—*Pan American World Airways, Inc. and Local 328, Building Service Employees International Union, AFL*

Members of the Arbitration Board were Mr. Thomas Conroy, representing the carrier; Mr. Lawrence Jackson, representing the organization; and Mr. Morton Singer, New York, N. Y., third arbitrator, appointed by the National Mediation Board.

This case was withdrawn November 17, 1950, without having convened, as the questions set out in section fourth of the arbitration agreement of September 13, 1950, had been disposed of by a mutual agreement between the parties to the dispute.

CASES A-3579 and A-3580, ARB. 150.—*Pan American World Airways, Inc., and Transport Workers Union of America, CIO*

Members of the Arbitration Board were Mr. W. O. Snyder, representing the carrier; Mr. William Grogan, representing the organization; and Mr. Joseph E. O'Grady of New York City, who was named by the National Mediation Board as third arbitrator, the party arbitrators being unable to agree upon the neutral arbitrator. Mr. O'Grady was selected as chairman.

Hearings were held in Long Island City, N. Y., commencing on February 1, 1951. Due to resignation of both Mr. Grogan and Mr. O'Grady, this case was closed by Board action.

CASE A-3517, ARB. 151.—*Missouri-Kansas-Texas Railroad Co., Missouri-Kansas-Texas Railroad Co. of Texas and M-K-T System Federation No. 8, Sheet Metal Workers' International Association, operating through the Railway Employees' Department, AFL*

Members of the Arbitration Board were Mr. A. F. Winkel, representing the carrier; Mr. R. M. Chute, representing the organization; and Mr. Nathaniel S. Clark of Takoma Park, Md., selected by the party arbitrators as the third arbitrator. Mr. Clark was designated as chairman.

Hearings were held in Dallas, Tex., beginning February 14, 1951, and the award was dated February 20, 1951, which was dissented by the carrier. The question submitted for arbitration was whether the rates of pay of certain positions in the water service department of the sheet metal workers' craft should be changed; namely, foreman, mechanics, helpers. The award provided for rates of pay as follows: Foremen, \$350 per month; mechanics, \$1.7375 per hour; and helpers, \$1.39 per hour.

CASE A-3524, ARB. 152.—*Aliquippa & Southern Railroad Co. and United Railroad Workers of America, CIO*

Members of the Arbitration Board were Mr. H. D. Barber, representing the carrier; Mr. John Green, representing the organization; and Mr. Harold M. Gilden, Chicago 2, Ill., who was appointed by the National Mediation Board as third arbitrator, since the party arbitrators were unable to agree upon the neutral arbitrator. Mr. Gilden was selected as chairman.

Hearings were conducted in Pittsburgh, Pa., commencing February 28, 1951, and the award was rendered March 30, 1951, unanimously. The specific question submitted for arbitration was "what increase in pro rata hourly rates of pay shall employees be allowed; and as of what date or dates shall the same become effective." The award provided an increase of 12½ cents per hour for the employees involved, as well as a cost-of-living adjustment.

A reconvened board was called for April 13, 1951, in Pittsburgh, Pa.,

to determine interpretation of certain questions rendered on above award. The employee arbitrator dissented the interpretation. Members of this board were the same as above, and the date of the interpretation was April 13, 1951, which provided that wage rates in effect on December 1, 1950, after giving effect to the terms of said award, shall not be reduced during the life of said award.

CASE A-3615, ARB. 154.—*National Airlines, Inc. and Flight Engineers' International Association*

Members of the Arbitration Board were Mr. J. M. Rosenthal, representing the carrier; Mr. William D. Kent, representing the organization; and Mr. William Howard Payne, Washington, D. C., who was appointed by the National Mediation Board as the third arbitrator, the party arbitrators being unable to agree upon the neutral arbitrator. Mr. Payne was selected as chairman.

Hearings were held in Miami, Fla., commencing April 24, 1951. The questions submitted for decision involved sick leave, longevity credit, notice of lay-off, protection of seniority rights, and rates of pay for flight engineers.

The award was rendered May 10, 1951, the carrier dissenting, and provided that sick-leave allowance shall accrue at the rate of 1 day for each month of continuous service as a Flight Engineer and may accumulate to a maximum of 54 days. Longevity credit was denied. The company shall give the flight engineers a minimum of 15 days' notice of lay-off for reasons of personnel reduction or pay in lieu thereof. It is understood and agreed that all provisions of this agreement shall be binding upon successors or assigns of the company. In case of a consolidation or merger, representatives of the company and the association will meet without delay and negotiate the proper provisions for the protection of the seniority and any other rights of the employees covered hereunder. A monthly salary for flight engineers ranges from \$390 for the first 6 months of service to \$550 for the ninth 6 months of service and thereafter.

2. EMERGENCY BOARDS—SECTION 10, RAILWAY LABOR ACT

Under the terms of section 10 of the Railway Labor Act, if a dispute between a carrier and its employees be not adjusted through mediation or the other procedures prescribed by the act, and should a situation arise which, in the judgment of the National Mediation Board, threatens to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service, the Board shall notify the President who may, thereupon, in his discretion, create an emergency board to investigate and report to him respecting such dispute.

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

The President created 8 such emergency boards during the fiscal year ended June 30, 1951. Reports made by emergency boards during the fiscal year are summarized below:

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 dispute grew out of a decision by the Boston & Albany to inaugurate runs between Boston and Springfield, Mass., using a single unit Diesel passenger car manned by an engineer and conductor but with no trainman.

The report to the President, dated July 6, 1950, found that the procedures of the Railway Labor Act had not been followed by the organization and recommended that the matter be taken before the National Railroad Adjustment Board under the grievance procedures, or be handled as a proposed change of agreement under the provisions of the act.

CASE A-3380, EMERGENCY BOARD NO. 87.—*International Longshoremen's Association, Local No. 158, AFL and Toledo Lake Front Dock Co.*

Executive order of the President dated July 3, 1950 resulted in the appointment of an emergency board as follows: Hon. Robert G. Simmons, chief justice, Nebraska Supreme Court; Mr. Joseph L. Miller, Labor Relations consultant, Washington, D. C.; and Mr. Dudley E. Whiting, lawyer and arbitrator, of Detroit, Mich. Justice Simmons was chosen as chairman. Hearings were held in Toledo, Ohio, beginning July 6, 1950.

The matters in dispute involved request for wage increase and night differential; several contract changes proposed by both parties; and handling of grievance matters. A strike was effective at time Board was appointed. Pending hearings of the emergency board, an interim pact was reached which ended the strike at the docks on July 13. The Board made its report to the President on August 11, 1950, recommending an across-the-board increase of 2½ cents per hour in addition to the 7½ cents granted in the interim pact. It also recommended that most of the contract change proposals be withdrawn and a procedure for handling grievances was recommended. The Board pointed out that the procedures of the Railway Labor Act are available and applicable. (See also Emergency Boards Nos. 88 and 88-A.)

CASE NO. A-3430, EMERGENCY BOARD NO. 88.—*International Longshoremen's Association, Locals Nos. 106 and 1634, AFL, and Toledo, Lorain & Fairport Dock Co.*

Hon. Robert G. Simmons, chief justice, Nebraska Supreme Court; Mr. Joseph L. Miller, Labor Relations consultant of Washington, D. C.; and Mr. Dudley E. Whiting, lawyer and arbitrator of Detroit, Mich., were designated as members of an emergency board under Executive order of the President dated July 3, 1950, and hearings were conducted in Toledo, Ohio, concurrently with Emergency Board No. 87.

Similar strike situation existed as that involved in Emergency Board No. 87, the dispute involving wage increase and night differential, guaranteed 6-day workweek, contract changes, and grievance procedures. An interim pact was entered into, providing for the men to return to service pending conclusion of the hearings. The Board recommended an additional 2½ cents per hour increase across-the-board, to supplement the 7½ cents agreed to in the interim pact. Withdrawal of all proposals for contract changes was also recommended.

CASE (not docketed) EMERGENCY BOARD NO. 88-A.—*International Longshoremen's Association Locals Nos. 1387 and 1396, AFL, and The Cleveland Stevedore Co.*

The emergency board named by the President under Executive order of July 3, 1950, composed of Hon. Robert G. Simmons, as chairman; Mr. Joseph L. Miller

and Mr. Dudley E. Whiting, conducted hearings in this dispute concurrently with those involved in Emergency Boards Nos. 87 and 88, since a similar strike situation prevailed. This dispute involved rates for winter dock work, in addition to basic wage demands and night differential and various rules changes.

An interim pact was entered into, providing for the return of the men to service pending conclusion of the hearings, with an interim increase of 7½ cents per hour. The Board's report to the President, dated August 11, 1950, recommended an additional 2½ cents per hour and specific recommendations were made with respect to the various rules changes.

CASE A-3300, EMERGENCY BOARD NO. 89.—*Order of Railway Conductors and The Pullman Co.*

Under Executive order of the President, dated July 6, 1950, Hon. Ernest M. Tipton, chief justice, Supreme Court of Missouri; Dr. I. L. Sharfman, professor of economics, University of Michigan; and Mr. Angus Munro, attorney of Dallas, Tex., were designated as an emergency board to investigate and report on dispute which had resulted in the setting of a strike date for July 11, 1950.

Public hearings in Chicago, Ill., extended for a 6-week period, from July 17 to August 25, 1950. The record consists of 30 volumes of transcript, comprising 5,253 pages, and 123 exhibits. By stipulation of the parties, and with approval of the President, the time limit for the submission of the board's report was extended to November 3, 1950.

This dispute involved proposed revision of the agreement, covering proposals and counterproposals, which had been handled in direct negotiations between the parties and by mediation over a long period of time since September 1949.

The report to the President recommended that the basic month of pullman conductors be reduced from 225 to 210 hours without change in existing monthly wage rates, which would result in an increase in hourly rates of pay of 10 to 11 cents. The emergency board also clarified certain points of controversy pertaining to the circumstances under which conductors must be used in pullman service, and it recommended a considerable number of important changes in procedures in handling of grievances and claims. While the board approved a few other rules changes, in the vast majority of instances it recommended that the proposals of the parties which were designed to expand or contract the rights of the management or the men, be withdrawn.

CASE A-3419, EMERGENCY BOARD NO. 90.—*Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees and Braniff Airways, Inc.*

Executive order of the President dated July 12, 1950, resulted in the appointment of emergency board composed of Dr. William M. Leiserson of Washington, D. C., Mr. A. Langley Coffey, attorney, of Tulsa, Okla.; and Mr. Daniel T. Valdes, attorney, of Santa Fe, N. Mex. Dr. Leiserson was chosen by the board to serve as chairman. Hearings were conducted in Dallas, Tex., commencing July 24, 1950.

This dispute involved working conditions and rules changes as well as night-shift differentials. The report of the emergency board, dated August 31, 1950, made specific recommendations for rules to cover the numerous issues, among other things; seniority, bulletining positions and vacancies, assignments, force reductions, leaves of absence, hours of service, free transportation, discipline and discharge procedures, and system board of adjustment. Certain differentials for second- and third-shift work were recommended. Some proposals

were withdrawn during the proceedings, and the board recommended the withdrawals of certain other proposals.

CASE A-3419, EMERGENCY BOARD NO. 91.—*Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors, Brotherhood of Railroad Trainmen, and New York Central Railroad Co.—lines east of Buffalo*

The emergency board created under the President's Executive order dated August 4, 1950, was composed of Hon. Paul G. Jasper, chief justice of the Supreme Court of Indiana; Mr. Wayne Quinlan, attorney, of Oklahoma City, Okla.; and Mr. Frank M. Swacker, attorney, New York City, N. Y. Mr. Swacker was chosen by the board to serve as its chairman. Hearings were held in New York City, beginning August 14, 1950.

The dispute involving awards of the National Railroad Adjustment Board; numerous grievance claims, some of which had not been processed to the Adjustment Board; demands for rules changes, one of which was for the termination of the limitations agreement with respect to filing of grievance claims; and demands for improved facilities for use of employees, resulted in the spreading of a strike ballot.

The report of the board was made on September 13, 1950, an extension of time having been granted by the President. The board, in its report, recommended that the grievance matters be submitted to the National Railroad Adjustment Board or to a special adjustment board on the property, or to an arbitration board. The board concluded that steps were being taken by the carrier to satisfy all reasonable demands on rules and facilities, and recommended that other demands be withdrawn.

CASE NO. A-3444, EMERGENCY BOARD NO. 92.—*Sixteen Cooperating Railway Labor Organizations (nonoperating) and Atlantic & East Carolina Railway Co. and 25 other short line railroads.*

The emergency board created under the President's Executive order dated August 11, 1950, was composed of Hon. Thomas F. Gallagher, a member of the Supreme Court of Minnesota; Prof. Walter Gellhorn of Columbia University; and Dr. George W. Stocking, professor of economics at Vanderbilt University. Judge Gallagher was chosen by the board to serve as chairman. Hearings were held in Washington, D. C., commencing August 16, 1950.

This dispute involved the establishment of a 40-hour workweek with no reduction in weekly pay, and general wage increase, to conform with the so-called national pattern. (See Emergency Board No. 66, fifteenth annual report, National Mediation Board.)

The report to the President was dated September 9, 1950, and made separate recommendations with respect to establishment of the shorter workweek on each of 22 short lines, agreement having been reached with 4 of the railroads through the mediatory efforts of the emergency board during the proceedings. In the majority of cases, the board recommended that the national pattern be made applicable; in a few cases, some modifications were recommended, and if no agreement could be reached by the parties after further direct negotiations, that the dispute be submitted to arbitration.

Following the issuance of the report, settlements were effected on basis of the emergency board's recommendations with the exception of Chicago, Aurora & Elgin Railway. A strike was in effect on this carrier for 44 days before settlement was finally reached.

CASE NO. A-3526, EMERGENCY BOARD NO. 93.—*International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL, Locals 808 and 459, and Railway Express Agency, Inc.*

The emergency board created under Executive order of the President dated October 3, 1950, was composed of Mr. Grady Lewis, attorney, of Washington,

D. C., who served as chairman; Reverend William J. Kelley, OMI, of the Catholic University, Washington, D. C.; and Mr. Joseph L. Miller, labor relations consultant, Washington, D. C.

This dispute involved various rules changes in local agreement affecting vehicle employees in New York metropolitan area and demands for increase in wages, differentials, etc., and had resulted in a strike commencing September 22, 1950, at midnight. The emergency board met with the parties in New York City in informal proceedings October 4 through 7, in an attempt to effect a cessation of the work stoppage, and on October 13 the men were induced to return to work. Formal public hearings were commenced on October 16 and the board made its report to the President on November 2, 1950.

An increase of 10 cents an hour was recommended, to become effective October 13, 1950, the day on which the strike ended. The board made specific statements with respect to each of the rules changes requested, recommending that the majority of them be withdrawn.

Subsequent negotiations between the parties resulted in settlement on basis of the emergency board's recommendations.

CASE NO. A-3255, EMERGENCY BOARD NO. 94.—*Air Line Pilots Association, International and American Airlines, Inc.*

Executive order of the President dated January 13, 1951, resulted in the appointment of an emergency board composed of Mr. David L. Cole, labor consultant of Paterson, N. J., as chairman; Hon. Frank P. Douglass, former chairman of the National Mediation Board, of Pine, Colo.; and Mr. Aaron Horvitz, attorney of New York, N. Y.

Public hearings were begun in Washington, D. C., on January 25, 1951, and on January 29 the proceedings were moved to New York City. These hearings continued until April 27, 1951, and at the conclusion of the hearings, the board met jointly with the parties, also separately, in an effort to secure a settlement of the disputes by mutual agreement but without success. The record consists of 4,770 pages of testimony and argument and 106 exhibits. Extension of time to May 28, 1951, for report of the board was approved by the President. The report was made on May 25, 1951.

The complicated issues in dispute had been the subject of continuous negotiations and mediation, lasting almost 18 months, and had resulted in the taking of a strike vote. A major issue resulted from the request of the Air Line Pilots Association to place limitations on the number of miles pilots would be required to fly each month, depending upon the speed of the plane; other changes in rate formulae for pilots and copilots were in dispute, a total of 27 issues as broken down in the board's report.

In its report, the board recommended a sizable increase for copilots, which will average \$1,800 per year. The board did not recommend reduction in flying hours below what they now are. The board recommended increased vacation allowance for captains, a provision guaranteeing more free time for all pilots, a minimum-pay guarantee, improved sick leave, furlough allowance for pilots with two or more years' seniority, and increased meal allowances. Other recommendations included a no-strike clause to be made part of the new agreement and that machinery be established for submitting unsettled grievances over dismissals and interpretation of the contract to a form of arbitration.

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, 1951, there was on file with this Board a total of 5,102 such agreements, or an increase of 10 new agreements received during the year. Of this increase, 3 new agreements cover airline employees and the remainder are applicable to railroads or miscellaneous employees. Table 10 shows for the 17-year period, 1935-51, 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, 1951, a total of 1,489 such revisions and supplements were filed with the Board. Of this total 1,478 were revised or amended agreements. One of the supplemental agreements received during the year provided for the transfer of existing agreements from one organization to another, after change in representation. Adding the 1,478 revised and supplemental agreements to the 10 new basic agreements produces a total of 2,154 agreements of all types received in the Board's office during the fiscal year 1951.

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 1935–51

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:									
1951.....	5,102	3,099	638	114	750	160	13	84	244
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	2,698	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:									
1951.....	4,470	2,779	547	97	653	133	10	69	182
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:									
1951.....	539	266	89	15	79	23	3	14	50
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:									
1951.....	93	54	2	2	18	4	0	1	12
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	0

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 summarizes the detailed information for the individual carriers shown in table 12A, and indicates 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, 1951

Craft or class of employees	Number of agreements held by—			No organization	Number of carriers employing no personnel in craft or class
	National labor organizations	System associations	Local unions		
Engineers.....	136				
Firemen and hostlers.....	136		1		
Conductors.....	136				
Brakemen, flagmen, and baggagemen.....	135		3		
Yard foremen, helpers, and switchtenders.....	133		3	1	4
Yardmasters.....	97	4		17	16
Machinists.....	130	3		2	1
Boilermakers.....	129	4			3
Blacksmiths.....	127	4		1	4
Sheet metal workers.....	125	3		3	5
Electrical workers.....	122	3		6	5
Carmen.....	132	4			
Powerhouse employees and railway shop laborers.....	129	1		6	1
Clerical, office, station, and storehouse.....	131			5	
Maintenance-of-way employees.....	136			1	
Telegraphers.....	129			5	2
Signalmen.....	107			8	21
Dispatchers.....	118	2		9	7
Dining car stewards.....	50	2		4	80
Dining car cooks and waiters.....	63	1	1	5	65
Marine service:					
Licensed deck.....	28	1		1	107
Licensed engine.....	27	1		2	107
Other marine employees.....	43	2	2	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, 1951, 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 is 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, 1951.

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 Hostlers.
- 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 Purser 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 departments.
- ⁵⁸ Parlor and sleeping car conductors.
- ⁵⁹ Coal cranemen.
- ⁶⁰ Subordinate officials in maintenance-of-way and structures departments.
- ⁶¹ Passenger representatives.
- ⁶² Platform vendor service employees.
- ⁶³ Power dispatchers.
- ⁶⁴ Boat dispatchers (incl. captains).
- 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 & Str. departments.
- ⁷¹ Grain boat captains.
- ⁷² Hostesses.

TABLE 12A.—Collective labor agreements and employee representation of 196 selected rail carriers as of June 30, 1951

Railroad	Marine Employees																							All other employees, Miscellaneous groups
	Engineers	Firemen and Hostlers	Conduc-tors	Brakemen, flagmen and baggage men	Yard foremen, helpers and switchtenders	Yard-masters	Machin-ists	Boiler-makers	Black-smiths	Sheet-metal workers	Electrical workers	Carmen and coach cleaners	Powerhouse employees and railway shop laborers	Clerical, office, station and storehouse employees	Maintenance of way employees	Tele-graphers	Signal-men	Dis-patchers	Dining car stewards	Dining car cooks & waiters	Masters, Mates and Pilots	Marine Engineers	Others	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		24
Akron, Canton & Youngstown Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Ann Arbor R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Atchafalaya, Topeka & Santa Fe Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Gulf, Colorado & Santa Fe Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Panhandle & Santa Fe Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Atlanta & West Point R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Western Railway of Alabama	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Atlantic Coast Line R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Baltimore & Ohio R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Bangor & Aroostook R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Bessemer & Lake Erie R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Boston & Maine R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Burlington-Rock Island R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Cambria & Indiana R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Canadian National Lines in New England	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Canadian Pacific Lines in Maine & Vermont	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Central of Georgia Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Central R. R. of New Jersey	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Central Vermont Ry. Co., Inc.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Charleston & Western Carolina Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chesapeake & Ohio Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Pere Marquette Division	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chicago & Eastern Illinois R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chicago & Illinois Midland Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chicago & North Western Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chicago, Burlington & Quincy R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chicago Great Western Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chicago, Indianapolis & Louisville Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
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	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chicago, Rock Island & Pacific Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Chicago, St. Paul, Minneapolis & Omaha Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Clinchfield R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Colorado & Southern Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Colorado & Western Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Columbus & Greenville Ry. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Delaware & Hudson R. R. Corp.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Delaware, Lackawanna & Western R. R. Co.	BLE	BLF&E	BRT	BRT	BRT	BRT	IAM	IBBISB	IBBDF	SMWIA	IBEW	BRCA	IBFO	BRC	BMW	ORT	(X)	ATDA	(X)	(X)	FAA	MEBA	(X)	(X)
Denver & Rio Grande Western R. R. Co.	BLE	BLF&E	BRT																					

SYMBOLS

(*)	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 and Enginemen.
BMW	Brotherhood of Maintenance-of-Way Employees.
BRC	Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.
BRCA	Brotherhood of 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 Boilermakers, Iron Ship Builders, and 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, and Helpers, A. F. of L.
IFTE&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, CIO.
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
RPSEU-CIO	Railway Passenger Service Employees' Union, C. I. O.
RPU	Railway Patrolmen's International 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.
USOC	Utility Workers Organizing Committee, C. I. O.
US&MWU	Utility Service & Maintenance Workers Union, Local 213, Independent.

TABLE 12B.—Collective labor agreements and employee representation on pullman and express companies as of June 30, 1951

Carrier	Sleeping car conductors	Sleeping car porters, attendants and maids	Machinists	Blacksmiths	Sheet-metal workers	Electrical workers	Carmen	Power-house employees and railway shop laborers	Chauffeurs, helpers, and garagemen	Agents	Clerical, office, station, and storehouse employees	Miscellaneous
Railway Express Agency, Inc.	(*).....	(*).....	IAM....	IBBDF...	(*).....	(*).....	(*).....	(*).....	BRC-IBTCWH...	ORT..	BRC.....	
The Pullman Co....	ORC.....	BSCP-UTSE ⁴⁸ ...	IAM....	IBBDF...	SMWIA..	IBEW...	BRCA..	IBFO....	(*).....	(*).....	BRC.....	ARSA. ⁷

Table 12.—Collective labor agreements and employee representation on principal airline carriers as of June 30, 1951

Carrier	Pilots	Flight engineers	Radio and tele-type operators	Flight Navigators	Mechanics	Flight dispatchers	Clerical, office, stores, fleet and passenger service	Stewards and stew-ardesses	Guards watch-men	Miscellaneous
Airline Transport Carriers.....					IAM					
American Airlines, Inc.	ALPA	ACFEA..	ALCEA		UAW	ALDA	ALSSA ¹³	IAM		ALSSA ²²
All American Airways, Inc.	ALPA		FCOA		IAM	ALDA				ALSSA
American Overseas Airlines, Inc.	ALPA	ALFEA..		AAN..	UAW ¹	ALDA	FP&SA ¹⁴	IAM		UAW ^{10 11}
Braniff Airways, Inc.	ALPA	ALPA	ALCEA-ARA		UAW	ALDA	BRC	ALSSA	UAW	SAM ¹⁰
Capital Airlines, Inc.	ALPA		ALCEA		IAM	ALDA	BRC	ALSSA ¹³		UTSE ^{8 15} ; IAM ²⁰
Chicago & Southern Air Lines, Inc.	ALPA	FEIA	ACCOA ²		UAW ^{1 21}	ALDA		ALSSA ¹³		
Colonial Airlines, Inc.	ALPA				IAM		IAM	ALSSA ¹³		
Continental Air Lines, Inc.	ALPA				UAW ^{1 2}	ALDA	UAW	ALSSA ¹³	IAM	SAM ¹⁰
Delta Air Lines, Inc.	ALPA				UAW					
Eastern Air Lines, Inc.	ALPA	ALFEA			IAM ⁷			ALSSA		IAM
Flying Tiger Lines, Inc.	ALPA				IAM		IBTCW &H			IBTCW&H ¹⁰
Frontier Air Lines, Inc.†.....	ALPA				IAM					
Inland Air Lines, Inc.	ALPA		ALCEA-ARA		UAW	ALDA	BRC	ALSSA ¹³		UAW ¹⁰
Mid-Continent Airlines, Inc.	ALPA		ALCEA		UAW ³	ALDA	BRC	ALSSA ¹³		UAW ¹⁵ ; SA ⁶
National Airlines, Inc.	ALPA	FEIA-AFL	IAM		IAM	ALDA	IAM	ALSSA ¹³		
Northeast Airlines, Inc.	ALPA		ROU		IAM	ALDA	BRC	ALSSA ¹³		
Northwest Airlines, Inc.	ALPA		ALCEA	ACNA	IAM ¹	ALDA	BRC ¹⁷	ALSSA	UAW	IBTCW&H ¹⁰ ; IAM ^{11 15} ; SAM ¹⁶
Pacific Northern Airlines.....						ALDA				

Pan American Airways, Inc.	ALPA	FEIA	TWU ²	FEIA	TWU	ALDA	BRC ⁴ , IAM ³	TWU	TWU	TWU ⁹ 11 15; AMA ¹⁶ ; UTSE ¹² .
Piedmont Aviation, Inc.	ALPA					ALDA				
Pioneer Air Lines	ALPA							ALSSA		
Robinson Airlines	ALPA				ACMA			ALSSA		
Slick Airways, Inc.	SAPA-SA				ALA					
Southwest Airways, Inc.	ALPA				IAM ¹	ALDA				
Transcontinental & Western Air, Inc.	ALPA	FEIA	ACCOA ²	ALNA- TWU	IAM ¹⁴ 7 ³	ALDA		ALSSA	IAM	
Trans-Pacific Airlines, Ltd.	ALPA					ALDA				
Trans Texas Airways					IAM					
United Air Lines, Inc.	ALPA	ACFEA	ALCEA ²	TWU	IAM	ALDA	IAM ⁷ 10	ALSSA ¹³	IAM	SAM ¹⁶ ; IAM ¹¹ 23.
Western Air Lines, Inc.	ALPA		ALCEA		ACMA	ALDA	BRC	ALSSA ¹³		UAW ¹² .
Wisconsin Central Airlines	ALPA				IAM	ALDA*				
Hawaiian Air Lines, Ltd.	ALPA		SA		IAM		SA	SA ¹⁵		

SYMBOLS

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

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, 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.

²² Flight agents.

²³ Guards.

*Superintendents.

†Challenger & Monarch Airlines now known as Frontier Airlines as of 4/1/50.

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 1935-51, inclusive:

ALL DIVISIONS							
Cases	17-year period 1935-51	1951	1950	1949	1948	1947	1946
Open and on hand at beginning of period.....	-----	3,548	3,271	2,722	2,500	3,371	4,921
New cases docketed.....	35,555	2,027	2,352	1,875	1,573	1,142	1,011
Total number of cases on hand and docketed.....	35,555	5,575	5,623	4,597	4,163	4,513	5,932
Cases disposed of.....	31,700	1,720	2,072	1,326	1,339	1,923	2,561
Decided without referee.....	9,609	258	265	242	174	425	189
Decided with referee.....	11,274	1,217	1,188	818	909	692	248
Withdrawn.....	10,844	245	619	266	256	806	2,124
Open cases on hand close of period.....	3,855	3,855	3,551	3,271	2,824	2,590	3,371
Heard.....	904	904	763	1,340	1,431	933	1,200
Not heard.....	2,951	2,951	2,788	1,931	1,393	1,657	2,171
FIRST DIVISION							
Open and on hand at beginning of period.....	-----	3,167	2,842	2,347	2,321	3,143	4,720
New cases docketed.....	27,649	1,415	1,766	1,226	954	620	573
Total number of cases on hand and docketed.....	27,649	4,582	4,608	3,573	3,275	3,763	5,293
Cases disposed of.....	24,177	1,110	1,438	731	826	1,442	2,150
Decided without referee.....	8,204	221	221	165	96	355	141
Decided with referee.....	6,432	701	669	389	528	347	-----
Withdrawn.....	9,541	188	548	177	202	740	2,009
Open cases on hand close of period.....	3,472	3,472	3,170	2,842	2,449	2,321	3,143
Heard.....	626	626	468	1,062	1,204	786	1,073
Not heard.....	2,846	2,846	2,702	1,780	1,245	1,535	2,070

¹ Includes 102 cases received, not docketed.

TABLE 13.—*Cases docketed and disposed of by the National Railroad Adjustment Board, fiscal years 1935-51, inclusive:—Continued*

SECOND DIVISION

Cases	17-year period 1935-51	1951	1950	1949	1948	1947	1946
Open and on hand at beginning of period.....	-----	31	34	34	16	18	28
New cases docketed.....	1,510	95	63	63	69	54	44
Total number of cases on hand and docketed.....	1,510	126	97	97	85	72	72
Cases disposed of.....	1,453	69	66	63	51	56	54
Decided without referee.....	534	11	13	10	12	7	8
Decided with referee.....	654	51	45	43	36	43	29
Withdrawn.....	265	7	8	10	3	6	17
Open cases on hand close of period.....	57	57	31	34	34	16	18
Heard.....	49	49	24	24	19	9	16
Not heard.....	8	8	7	10	15	7	2

THIRD DIVISION

Open and on hand at beginning of period.....	-----	328	362	338	245	204	166
New cases docketed.....	5,652	459	420	495	467	387	337
Total number of cases on hand and docketed.....	5,652	787	782	833	712	591	503
Cases disposed of.....	5,346	481	454	471	374	346	299
Decided without a referee.....	665	21	10	42	37	38	29
Decided with referee.....	3,768	420	412	358	297	255	190
Withdrawn.....	913	40	32	71	40	53	80
Open cases on hand close of period.....	306	306	328	362	338	245	204
Heard.....	221	221	254	235	205	136	110
Not heard.....	85	85	74	127	133	109	94

FOURTH DIVISION

Open and on hand at beginning of period.....	-----	22	33	3	8	6	7
New cases docketed.....	744	58	103	91	83	81	57
Total number of cases on hand and docketed.....	744	80	136	94	91	87	64
Cases disposed of.....	724	60	114	61	88	79	58
Decided without a referee.....	206	5	21	25	29	25	11
Decided with referee.....	393	45	62	28	48	47	29
Withdrawn.....	125	10	31	8	11	7	18
Open cases on hand at close of period.....	20	20	22	33	3	8	6
Heard.....	8	8	17	19	3	2	1
Not heard.....	12	12	5	14	0	6	5

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 1951 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 1935-51. Included in the table is a recapitulation of the cases handled by the 4 divisions since the creation of the

adjustment board in 1935. It will be noted that of the 35,555 cases docketed by the Board since it began operation, 26,237 have been docketed by the first division. Thus for the 17-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.

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 total of the first division, in table 13. The supplemental boards began functioning in January 1950 and the fiscal year of 1951 is the first full year such boards have been in operation. With the assistance of these two supplemental boards, the number of cases disposed of in the fiscal year 1951 totaled 1,110 as compared with 1,438 in 1950, a decrease of 328. The number of docketed cases on hand at close of fiscal year 1951 increased from 3,551 in 1950 to 3,855 in 1951.

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		
Elkouri, Frank	Oklahoma City, Okla	July 13, 1950	45
Weeks, John A.	Minneapolis, Minn	July 18, 1950	1 60
Kane, Joseph S.	Seattle, Wash	Aug. 18, 1950	45
Gilden, Harold M.	Chicago, Ill.	Oct. 12, 1950	45
Guthrie, Paul N. ²	Chapel Hill, N. C.	Nov. 22, 1950 ³	31
Jackson, Andrew	New York, N. Y.	Nov. 22, 1950 ³	21
Smith, Livingston	Dallas, Tex.	Dec. 2, 1950	31
Robertson, Francis J.	Washington, D. C.	Dec. 2, 1950	28
Stone, Mortimer	Denver, Colo.	Jan. 2, 1951	1 51
Rader, LeRoy A.	Washington, D. C.	Jan. 25, 1951	32
Connell, Charles S.	Chicago, Ill.	Feb. 15, 1951	37
Simmons, Robert G.	Lincoln, Nebr.	Mar. 12, 1951 ³	33
Mabry, Thomas J.	Albuquerque, N. Mex.	Mar. 27, 1951	35
Whiting, Dudley E.	Detroit, Mich.	Mar. 27, 1951	33
Douglass, David R.	Oklahoma City, Okla.	Apr. 16, 1951	1 42
Jackson, Andrew	New York, N. Y.	May 10, 1951	4 36
Coffey, A. Langley	Tulsa, Okla.	May 10, 1951	38
Guthrie, Paul N.	Chapel Hill, N. C.	May 24, 1951	4 36
Smith, Livingston	Dallas, Tex.	May 31, 1951	1 44
Tipton, Ernest M.	Jefferson City, Mo.	June 21, 1951 ³	33

See footnotes at end of table.

Referees appointed—Continued

SECOND DIVISION

Referee		Date of appointment	Number of cases for which appointed
Name	Residence		
Chappell, Elwood B.....	Lincoln, Nebr.....	July 6, 1950 ⁵	9
		July 12, 1950 ⁶	5
Swacker, Frank M.....	New York, N. Y.....	Feb. 6, 1951 ⁵	24
Carter, Edward F.....	Lincoln, Nebr.....	Feb. 23, 1951 ⁷	4
		June 19, 1951 ⁵	33

THIRD DIVISION

Carter, Edward F.....	Lincoln, Nebr.....	July 12, 1950 ⁵	38
Robertson, Francis J.....	Washington, D. C.....	July 24, 1950 ⁵	1
Parker, Jay S.....	Topeka, Kans.....	July 24, 1950 ⁵	22
Coffey, A. Langley.....	Tulsa, Okla.....	Sept. 1, 1950	35
Wenke, Adolph E.....	Lincoln, Nebr.....	Oct. 23, 1950	36
Boyd, Robert O.....	Portland, Oreg.....	Nov. 24, 1950	38
Wyckoff, Hubert.....	Watsonville, Calif.....	Jan. 2, 1951	39
Robertson, Francis J.....	Washington, D. C.....	Jan. 8, 1951 ⁵	1
		Jan. 19, 1951 ⁵	35
Munro, Angus.....	Dallas, Tex.....	Feb. 14, 1951	32
Elson, Alex ²	Chicago, Ill.....	Mar. 27, 1951	39
Robertson, Francis J.....	Washington, D. C.....	Apr. 13, 1951	⁵ 5
Donaldson, J. Glenn.....	Denver, Colo.....	May 11, 1951 ⁵	37
Parker, Jay S.....	Topeka, Kans.....	June 15, 1951 ⁵	47

FOURTH DIVISION

Douglass, David R. ²	Oklahoma City, Okla.....	Aug. 14, 1950	7
Chappell, E. B.....	Lincoln, Nebr.....	Oct. 24, 1950 ⁵	1
McMahon, Donald F. ²	Chicago, Ill.....	Mar. 2, 1951	11
Begley, Thomas C.....	Cleveland, Ohio.....	Apr. 9, 1951 ⁵	12
McLaughlin, Geo. W. ²	New York, N. Y.....	June 11, 1951	7

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

² Appointed for the first time during fiscal year 1951.

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

⁴ Referee Andrew Jackson relinquished assigned cases prior to his commencement in hearing said cases due to his illness. Thereupon Dr. Paul N. Guthrie, Chapel Hill, N. C., was appointed as referee on May 24, 1951, to hear the 36 cases.

⁵ Selected by National Railroad Adjustment Board Division.

⁶ Selected by National Railroad Adjustment Board Division and appointment made by addendum to certificate of appointment dated July 6, 1950.

⁷ Selected by Second Division and appointment made by addendum to certificate of appointment dated Feb. 2, 1951.

⁸ Referee Hubert Wyckoff appointed on Jan. 2, 1951, upon request to and approved by Third Division, National Railroad Adjustment Board, relinquished these 5 cases from his docket of cases assigned to him.

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 1951 the Board nominated referees to sit with airline adjustment boards in 13 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 appointment	Parties
Wallace, Edward ¹	New York, N. Y.....	July 13, 1950	Pan American World Airways, Inc. and Transport Workers Union of America.
Smith, Livingston.....	Dallas, Tex.....	Sept. 21, 1950	Transcontinental & Western Air, Inc., and International Association of Machinists.
Sonnenschein, Hugo, Jr.....	Chicago, Ill.....	Oct. 12, 1950	United Air Lines, Inc., and International Association of Machinists.
Douglass, David R.....	Oklahoma City, Okla.....	Oct. 31, 1950	Pan American World Airways, Inc.—Latin American Division and Brotherhood of Railway and Steamship Clerks. ²
Smith, Livingston.....	Dallas, Tex.....	.....do ³	Pan American World Airways, Inc., and Air Line Dispatchers Association. ⁴
Margolis, William N.....	Newark, N. J.....	Nov. 21, 1951	Colonial Airlines, Inc., and International Association of Machinists.
Horvitz, Aaron.....	New York, N. Y.....	.....do ⁵	Pan American World Airways, Inc., and Airline Meteorologists Association. ⁶
Douglass, David R.....	Oklahoma City, Okla.....	Dec. 4, 1950	Pan American World Airways, Inc., and Air Line Dispatchers Association.
McMahon, Donald F. ¹.....	.....do.....	Jan. 15, 1951	Transcontinental & Western Air, Inc., and International Association of Machinists.
Valdes, Daniel ⁷	Washington, D. C.....	May 1, 1951	Pan American World Airways, Inc.—Latin American Division and Brotherhood of Railway and Steamship Clerks. ²
Tipton, Ernest M. (Judge).....	Jefferson City, Mo.....	June 14, 1951	Mid-Continent Airlines, Inc., and Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Steamship Employees.
McMahon, Donald F. ¹	Oklahoma City, Okla.....	June 19, 1951	Transcontinental & Western Air, Inc., and International Association of Machinists.
Quinlan, Wayne.....	.....do.....	June 25, 1951 ⁸	Frontier Airlines, Inc., and Air Line Stewards and Stewardess Association, International.

¹ To serve as fifth member of said system board.

² Field board of adjustment.

³ To serve as neutral arbitrator in accordance with special arbitration agreement dated Oct. 20, 1950.

⁴ Arbitration board set up under provisions of agreement dated Oct. 20, 1950.

⁵ To serve as arbitrator (1-member board).

⁶ Arbitration board set up under provisions of arbitration agreement dated Oct. 20, 1950, in accordance with Civil Aeronautics Board order E-4634.

⁷ Nomination was withdrawn by request of appointee.

⁸ To serve as arbitrator on special board.

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 1951, this Board was called upon to interpret the terms of one mediation agreement. The mediation agreement was made on March 28, 1950, between the River Terminal Railway Co. and the Brotherhood of Railroad Trainmen, in the Board's Case A-3331. The mediation agreement provided that, among other things, the positions of bridge operator will be open for bid to yardmen as vacancies occur, senior yardmen bidding, to be assigned, when qualified. The specific question on which an interpretation was requested by the Brotherhood of Railroad Trainmen was their contention that the above agreed-to rule brings the bridge operators under the scope rule of the existing yardmen's agreement. While the carrier contended that the rule only provided the yardmen the privilege of bidding on any vacancy that may occur on the bridge-operator jobs and agreed to raise the then existing rate of pay to the yard conductors' rate. Following a public hearing held in the Board's offices on February 15, 1951, the Board's interpretation was issued on May 2, 1951. In its conclusion it was held as follows:

1. Paragraph (3)—Bridge Operators—of the mediation agreement did not place these positions under the scope of the yardmen's agreement. This paragraph did, however, give qualified yardmen the right to bid in vacancies as bridge operators. When so assigned, yardmen bidding in these positions assume the working conditions of the position as established by the carrier.

2. Paragraph (3)—Bridge Operators—did establish by agreement a new rate of pay for all employees working as bridge operators; namely, the yard conductors' rate of pay. This rate for yard conductors has been established by agreement between the parties, and consists of the yard conductor's basic daily rate, plus the daily earnings minimum guarantee of 2½ cents per hour, or 20 cents per day. The arbitrary allowance of 30 minutes per day under paragraph (1)—Air hose rule of the mediation agreement of March 28, 1950, does not apply to the new rate for bridge operators, as it applies only to employees coming within the scope of the yardmen's agreement.

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.

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. Not 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, Eighteenth and F Streets NW., Washington, D. C. 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 at the location of the disputes. 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.
J. Earl Newlin.
Alexander D. Penfold.
C. Robert Roadley.
Wallace G. Rupp.
H. Albert Smith.
Frank K. Switzer.
Eugene C. Thompson, appointed Secretary of the Board September 25, 1951.
Thomas A. Tracy.
Charles F. Wahl.

2. FINANCIAL STATEMENT

Accounting of all moneys appropriated by Congress for the fiscal year 1951, 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	\$412, 200
Arbitration and emergency boards	325, 000
Total appropriations	<u>737, 200</u>

Obligations:

Salaries, National Mediation Board	295, 531
Travel expenses	80, 114
Other expenses	25, 114

Total operating expenses	400, 759
Expenses arbitration and emergency boards	143, 398

Grand total	544, 157
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Unobligated balances:

Salaries and expenses	11, 441
Arbitration and emergency boards	181, 602

Total unobligated	193, 043
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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)

ANDERSON, J. A., *Chairman*

SARCHET, ROGER, *Vice Chairman*

ALLISON, R. H.	JOHNSON, B. C.
BLAKE, R. W.	JONES, A. H.
BOWEN, A. C.	KEALEY, C. W.
BRINDLEY, J. P.	KEISER, W. C.
BURTNESS, H. W.	KEMP, J. E.
CANNON, C. S.	LOSEY, T. E.
COOK, C. C. ¹	ORNDORFF, GERALD
COYLE, F. W.	PURCELL, T. F.
CUNNINGHAM, A. J.	REESER, H. J.
DUGAN, C. P.	SCHOCH, M. G.
DUGAN, GEO. H.	SOMERLOTT, M. E.
FEE, L. B.	SWAN, O. E.
FERRIS, A. R.	SYLVESTER, J. H.
GREEN, T. L.	WALTHER, A. G.
HASSETT, M. W. ²	WALTON, R. A.
HICKS, D. H.	WIESNER, E. W.
HOLMES, W. O. ³	WRIGHT, GEORGE

SUPPLEMENTAL BOARDS

BORDWELL, H. V.	MAGILL, J. E.
BRENNAN, RICHARD	MILLER, D. A.
HOGLUND, H. J.	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 upon the disputes.

¹ Retired—replaced by R. M. Butler.

² Retired—replaced by R. P. Johnson.

³ Replaced by W. J. Ryan.

Accounting of all moneys appropriated by Congress for the fiscal year 1951, 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..... \$797,300.00

Expenditures:

Salaries of employees..... \$227,441.78
Salaries of referees..... 139,637.35
Travel expenses (including referees)..... 23,597.15
Transportation of things..... 132.04
Communication services..... 6,306.46
Rent..... 126,525.00
Electric service..... 2,799.31
Printing and binding..... 66,803.55
Other contractual services..... 2,823.15
Supplies and materials..... 5,596.15
Equipment..... 9,129.09

Total expenditures..... 610,791.03

Unexpended balance..... 186,508.97

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

ADMINISTRATIVE

Name	Title	Salary paid	Duties
Howard, Leland.....	Administrative officer.	\$7,199.92	Subject to direction of Board, administers its governmental affairs.
Dillon, Mary E.....	Actg. and aud. asst.	3,736.14	
Renik, Dina.....	Clerk-typist.....	2,376.61	Secretarial, stenographic, accounting, and auditing. Clerical. Do. Do.
Siegel, Wayne H.....	Clerk.....	629.90	
Larson, George.....	do.....	1,172.08	

FIRST DIVISION

McFarland, Thos. S.....	Executive secretary...	8,303.91	Administration of affairs of division and subject to its direction. Assists executive secretary.
Frohning, Wm. C.....	Asst. exec. secretary...	5,217.74	
Killeen, Bert F.....	Prin. clerk-steno.....	4,067.76	Digests and briefs cases and awards, takes hearings, etc. Secretarial, stenographic, and clerical.
Fostof, Evelyn F.....	Clerk-steno.....	3,974.88	
Smith, Margaret J.....	do.....	3,974.88	Do.
Blee, Ruth W.....	do.....	3,850.08	Do.
Ellwanger, Dorothy M.....	do.....	3,794.75	Do.
Karlceek, Mae J.....	do.....	3,770.70	Do.
Karl, Beverly R.....	do.....	3,559.08	Do.
Schnase, Julia T.....	do.....	3,539.84	Do.
Schroeter, Marie A.....	do.....	3,578.32	Do.
Johnson, Charlene M.....	do.....	3,072.17	Do.
Gates, Shirley V.....	do.....	3,309.22	Do.
Sinnott, Nancy J.....	do.....	2,057.78	Do.
Meehan, Elizabeth E.....	do.....	3,188.97	Do.
Finnegan, Marian.....	do.....	154.98	Do.
Lewandowski, J. T.....	do.....	2,703.82	Stenographic and clerical.
Terangle, Rhoda E.....	do.....	2,703.82	Do.
Fox, Doris S.....	Clerk.....	2,676.10	Clerical.

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

FIRST DIVISION—continued

Name	Title	Salary paid	Duties
REFEREES			
Coffey, A. Langley, 29¼ days at \$75 per day.	-----	\$2,231.25	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Connell, Charles S., 44 days at \$75 per day.	-----	3,300.00	Do.
Elkouri, Frank:			
27¼ days at \$50 per day.	-----	1,362.50	Do.
46¼ days at \$75 per day.	-----	3,468.75	Do.
Gallagher, Thos. F.:			
35¼ days at \$50 per day.	-----	1,787.50	Do.
11 days at \$75 per day.	-----	825.00	Do.
Gilden, Harold M., 63 days at \$75 per day.	-----	4,725.00	Do.
Guthrie, Paul N., 20½ days at \$75 per day.	-----	1,537.50	Do.
Kane, Joseph S.:			
20¼ days at \$50 per day.	-----	1,037.50	Do.
56¼ days at \$75 per day.	-----	4,256.25	Do.
Mabry, Thomas J., 57½ days at \$75 per day.	-----	4,312.50	Do.
Rader, LeRoy A., 61 days at \$75 per day.	-----	4,575.00	Do.
Robertson, F. J.:			
43½ days at \$50 per day.	-----	2,175.00	Do.
40 days at \$75 per day.	-----	3,000.00	Do.
Smith, Livingston, 56½ days at \$75 per day.	-----	4,237.50	Do.
Whiting, Dudley E., 28 days at \$75 per day.	-----	2,100.00	Do.

FIRST DIVISION—SUPPLEMENTAL, C-T.

Baylog, Bette J.	Clerk-steno.	\$2,866.10	Secretarial, stenographic, and clerical.
Moyer, Mildred L.	do.	3,184.16	Do.
Roudebush, Ethel A.	do.	3,174.54	Do.
Smith, Joan M.	do.	3,179.35	Do.
Marko, Helen E.	do.	1,144.60	Do.
Keenan, Patricia	do.	1,367.31	Stenographic and clerical.
REFEREES			
Donaldson, J. Glenn:			
40¼ days at \$50 per day.	-----	2,012.50	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
16¼ days at \$75 per day.	-----	1,256.25	
Douglass, David R., 46¼ days at \$75 per day.	-----	3,468.75	Do.
O'Malley, Mart J., 20 days at \$50 per day.	-----	1,000.00	Do.
Stone, Mortimer, 78 days at \$75 per day.	-----	5,850.00	Do.
Weeks, John A., 82 days at \$75 per day.	-----	6,150.00	Do.

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

FIRST DIVISION—SUPPLEMENTAL, E-F.

Name	Title	Salary paid	Duties
Dugan, Jean M.....	Clerk-steno.....	\$3, 102. 39	Secretarial, stenographic, and clerical.
Fogelberg, Kay.....	do.....	3, 184. 16	Do.
Murphy, Rita.....	do.....	3, 184. 16	Do.
Sullivan, Alice M.....	do.....	3, 155. 30	Do.
Keenan, Patricia.....	do.....	1, 367. 31	Stenographic and clerical.
REFEREES			
Guthrie, Paul N., 62½ days at \$75 per day.	-----	4, 687. 50	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Jackson, Andrew, at 35¼ days at \$75 per day.	-----	2, 643. 75	Do.
Simmons, Robert G., 18½ days at \$75 per day.	-----	1, 387. 50	Do.
Spencer, William H.: 55 days at \$50 per day.....	-----	2, 750. 00	Do.
27 days at \$75 per day.....	-----	2, 025. 00	Do.
Tipton, Ernest M., 4¼ days at \$75 per day.	-----	318. 75	Do.

SECOND DIVISION

Mindling, John L.....	Executive secretary ..	\$1, 975. 84	Administration of affairs of division and subject to its direction.
Sassaman, Harry J.....	do.....	3, 150. 79	Do.
Glenn, Allise N.....	Clerk-steno.....	3, 962. 88	Secretarial, stenographic, and clerical.
Lindberg, Robert L.....	do.....	3, 974. 88	Do.
Morrison, Margaret E.....	do.....	3, 962. 88	Do.
Shaughnessy, Margaret.....	do.....	3, 929. 28	Do.
Stomer, Mary A.....	do.....	3, 929. 28	Do.
Williams, Dorothy M.....	do.....	3, 974. 88	Do.
Bondenbender, Henry J.....	do.....	3, 850. 08	Do.
Vought, Marcella R.....	do.....	3, 850. 08	Do.
Sturman, Alta M.....	do.....	3, 563. 89	Do.
Watson, Muriel G.....	do.....	3, 486. 93	Do.
Fountaine, Dorothy T.....	do.....	3, 227. 44	Do.
REFEREES			
Carter, Edward F., 6¼ days at \$75 per day.	-----	468. 75	Sat with division as member to make awards, upon failure of division to agree on secure majority vote.
Chappel, E. B.: 32 days at \$50 per day.....	-----	1, 600. 00	Do.
3¼ days at \$75 per day.....	-----	262. 50	Do.
Swacker, Frank M., 29¼ days at \$75 per day.	-----	2, 212. 50	Do.

THIRD DIVISION

Tummon, A. Ivan.....	Asst. exec. secty.....	\$4, 828. 39	Acting secretary—administration of affairs of division and subject to its direction.
Groble, Agatha E.....	Clerk-steno.....	3, 974. 88	Secretarial, stenographic, and clerical.
Lightner, Hazel I.....	do.....	3, 974. 88	Do.
Morse, Frances.....	do.....	3, 974. 88	Do.
Anderson, Loreto C.....	do.....	3, 850. 08	Do.
Anderson, Louise S.....	do.....	3, 833. 23	Do.
Balskey, Clare Virginia.....	do.....	3, 850. 08	Do.
Sanford, Jewel C.....	do.....	3, 746. 36	Do.
Miller, Kellogg B.....	do.....	3, 712. 99	Do.
Smith, Lois E.....	do.....	3, 616. 80	Do.
Killeen, Eugene A.....	do.....	3, 381. 31	Do.
Karlcek, Blanche R.....	do.....	3, 323. 64	Do.
Ferris, Carol J.....	do.....	83. 45	Do.
Smith, Mollie.....	do.....	763. 05	Do.
Keating, Patrick J.....	Clerk.....	2, 756. 18	Clerical.

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

THIRD DIVISION—Continued

Name	Title	Paid	Duties
REFEREES			
Begley, Thomas C., 35¼ days at \$50 per day.	-----	\$1,787.50	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Boyd, Robert O.: 33¼ days at \$50 per day.....	-----	1,675.00	Do.
71 days at \$75 per day.....	-----	5,325.00	Do.
Carmody, John M., 3 days at \$43.70 per day.	-----	131.10	Do.
Carter, Edward F.: 47¼ days at \$50 per day.....	-----	2,375.00	Do.
38 days at \$75 per day.....	-----	2,850.00	Do.
Coffey, A. Langley, 70¼ days at \$75 per day.	-----	5,268.75	Do.
Donaldson, J. Glenn, 20¼ days at \$75 per day.	-----	1,537.50	Do.
Elson, Alex, 25½ days at \$75 per day.	-----	1,912.50	Do.
Kelliher, Peter M.: 11 days at \$50 per day.....	-----	550.00	Do.
5¼ days at \$75 per day.....	-----	412.50	Do.
Munro, Angus, 72¼ days at \$7 per day.	-----	5,456.25	Do.
Parker, Jay S.: 61 days at \$50 per day.....	-----	3,050.00	Do.
19 days at \$75 per day.....	-----	1,425.00	Do.
Robertson, Francis J.: 2 days at \$50 per day.....	-----	100.00	Do.
67¼ days at \$75 per day.....	-----	5,081.25	Do.
Shake, Curtis G.: 2½ days at \$50 per day.....	-----	125.00	Do.
3 days at \$75 per day.....	-----	225.00	Do.
Wenke, Adolph, 58½ days at \$75 per day.	-----	4,387.50	Do.
Wyckoff, Hubert, 74 days at \$75 per day.	-----	5,550.00	Do.

FOURTH DIVISION

Parkhurst, Raymond B.-----	Executive secretary...	\$7,199.92	Administration of affairs of division and subject to its direction.
Humfreville, Muriel L.-----	Clerk-steno.....	3,929.28	Secretarial, stenographic, and clerical.
Zimmerman, R. Hazel.....	do.....	3,974.88	Do.
Adams, Henrietta V.-----	do.....	3,809.18	Do.
REFEREES			
Begley, Thomas C., 27¼ days at \$75 per day.	-----	2,043.75	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Chappell, E. B., 5¼ days at \$75 per day.	-----	431.25	Do.
Douglass, David R.: 17 days at \$50 per day.....	-----	850.00	Do.
3¼ days at \$75 per day.....	-----	262.50	Do.
McLaughlin, George W., 6½ days at \$75 per day.	-----	487.50	Do.
McMahon, Donald F., 27 days at \$75 per day.	-----	2,025.00	Do.
Smith, Livingston, 25¼ days at \$50 per day.	-----	1,287.50	Do.

FIRST DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

39 SOUTH LA SALLE STREET, CHICAGO 3, ILL.

Organization of the Division fiscal year 1950-51

FIRST DIVISION BOARD

O. E. SWAN, *Chairman*

W. C. KEISER, *Vice Chairman*

J. P. BRINDLEY

H. W. BURTNES

FRANK W. COYLE

GEORGE H. DUGAN

T. L. GREEN

B. C. JOHNSON

C. W. KEALEY

H. J. REESER

ENGINEERS-FIREMEN SUPPLEMENTAL BOARD

H. J. HOGLUND, *Chairman*

P. C. SOUTHWORTH, *Vice Chairman*

DON A. MILLER, *Alternating Carrier Member*

CONDUCTORS-TRAINMEN SUPPLEMENTAL BOARD

H. V. BORDWELL, *Chairman*

RICHARD BRENNAN, *Vice Chairman*

J. E. MAGILL, *Alternating Carrier Member*

W. C. FROHNING, *Acting Executive Secretary*¹

JURISDICTION

In accordance with Section 3 (h) of the Railway Labor Act, as amended, the First Division of the National Railroad Adjustment Board has jurisdiction over disputes between employees or groups of employees and carriers involving train and yard-service employees; that is, engineers, firemen, hostlers and outside hostler helpers, conductors, trainmen, and yard-service employees.

ORGANIZATION

The First Division was established in 1934 by amendment to the Railway Labor Act (Pub. 442, 73d Cong.). This Division consists of:

(1) First Division Board; 10 members. Five of the members are appointed and paid by carrier associations and 5 members are appointed and paid by the 5 major labor organizations of railroad employees whose crafts are under the jurisdiction of this Division.

(2) Engineers-Firemen Supplemental Board, composed of three permanent members—one representing carriers, one representing the Brotherhood of Locomotive Engineers, and one representing the Brotherhood of Locomotive Firemen and Enginemen. An additional carrier member serves temporarily as a representative of the carrier whose cases are being considered.

(3) Conductors-Trainmen Supplemental Board, composed of three permanent members—one representing the carriers, one representing the Order of Railway Conductors, and one representing the Brotherhood of Railroad Trainmen. An additional temporary carrier member represents the carrier whose cases are being considered.

The supplemental boards were established in 1949 by resolution of the First Division Board under authority of Section 3, First (w) of the Railway Labor Act. As in the case of the First Division Board, the members of the supplemental boards are appointed and paid by the carriers and labor organizations, respectively.

When the Division is unable to agree upon a case, and when a number of such cases have accumulated, a referee is appointed temporarily, by the Division or by the National Mediation Board, to sit with the Board which has deadlocked the cases to break the deadlock.

PERSONNEL AND OPERATIONS

Although there has been an increase of 302 in the number of cases pending June 30, 1951, as compared with the end of the preceding fiscal year, substantial improvement has occurred in the ratio of awards to cases added to the docket since establishment of the supplemental boards in October 1949, and slight improvement over the preceding fiscal year, as shown by the following tabulation.

¹ Succeeded T. S. McFarland, deceased.

Fiscal year	Cases docketed	Cases withdrawn	Added to docket	Number of awards	Awards as percentage of cases added
1949 ¹	1, 226	177	1, 049	554	53
1950.....	1, 766	548	1, 218	890	73
1951.....	1, 415	191	1, 224	922	75

¹ Last complete fiscal year prior to establishment of supplemental boards.

NATIONAL RAILROAD ADJUSTMENT BOARD—FIRST DIVISION

TABLE 1.—Cases docketed, fiscal year 1950–51, classified according to carrier party to submission

Name of carrier	Docketed	Name of carrier	Docketed
Alton & Southern R. R. Co.....	1	Duluth, Missabe & Iron Range Ry.....	40
Atchison, Topeka & Santa Fe Ry. Co.—Coast.....	42	Elgin, Joliet & Eastern Ry. Co..	2
Atchison, Topeka & Santa Fe Ry. Co.—East and West.....	60	Erie R. R.....	12
A. T. & S. F.—Panhandle & Santa Fe Ry. Co.....	1	Florida East Coast Ry.....	4
Baltimore & Ohio R. R.....	64	Fort Worth & Denver City Ry. Co.....	2
Baltimore & Ohio Chicago terminal R. R.....	6	Georgia R. R.....	2
Bangor & Aroostock R. R. Co..	3	Grand Trunk Western R. R. Co.....	17
Belt Ry. Co. of Chicago.....	1	Great Northern Ry.....	8
Birmingham Southern R. R. Co.....	2	Green Bay & Western R. R. Co..	2
Boston & Albany R. R.....	1	Gulf Coast Lines.....	1
Boston & Maine R. R.....	3	Gulf, Colorado & Santa Fe Ry. Co.....	10
Buffalo Creek R. R.....	4	Illinois Central R. R.....	9
Central California Traction Co..	3	Illinois Terminal R. R. Co.....	1
Central R. R. of New Jersey....	2	Indianapolis Union Ry.....	3
Central of Georgia Ry. Co.....	8	International-Great Northern R. R.....	2
Chesapeake & Ohio.....	10	Kansas City Southern Ry.....	22
Chicago & Eastern Illinois R. R..	3	Kansas, Oklahoma & Gulf Ry....	1
Chicago & North Western Ry....	30	Kentucky & Indiana Terminal R. R. Co.....	3
Chicago, Burlington & Quincy R. R.....	80	Lehigh Valley R. R.....	34
Chicago Great Western Ry.....	29	Los Angeles Junction Ry.....	2
Chicago, Indianapolis, & Louisville Ry. Co.....	1	Macon, Dublin & Savannah R. R.....	2
Chicago Junction Ry.....	2	Maine Central R. R. Co.....	1
Chicago, Milwaukee, St. Paul & Pacific R. R.—West.....	9	Michigan Central R. R.....	12
Chicago, Milwaukee, St. Paul & Pacific R. R.—East.....	7	Midland Valley R. R.....	1
Chicago, Milwaukee, St. Paul & Pacific R. R.—K. C. S. Joint Agency.....	1	Minneapolis & St. Louis Ry. Co..	4
Chicago, North Shore & Milwaukee Ry.....	1	Minneapolis & St. Louis Ry.—Ry. Transfer Co.—Minneapolis....	1
Chicago, St. Paul, Minneapolis & Omaha Ry.....	7	Missouri-Kansas-Texas R. R. Co.....	3
Cleveland, Cincinnati, Chicago & St. Louis Ry.....	2	Nashville, Chattanooga & St. Louis Ry.....	2
Colorado & Southern Ry. Co....	2	New Orleans, Texas & Mexico Ry.....	1
Columbus & Greenville Ry. Co..	1	New York Central R. R. Co.—East.....	20
Delaware & Hudson R. R. Corp.	32	New York Central R. R. Co.—West.....	9
Delaware, Lackawanna & Western R. R. Co.....	8	New York, Chicago & St. Louis R. R. Co.....	6
Denver & Rio Grande Western R. R. Co.....	52	New York, Ontario & Western Ry.....	1
Detroit Terminal R. R.....	1	Niagara Junction Ry.....	1
		Norfolk Southern Ry. Co.....	2

TABLE 1.—Cases docketed, fiscal year 1950–51, classified according to carrier party to submission—Continued

Name of carrier	Docketed	Name of carrier	Docketed
Northern Pacific Ry.	27	Seaboard Air Line R. R. Co.	7
Northwestern Pacific R. R. Co.	16	South Georgia Ry. Co.	1
Northern Pacific Terminal of Oregon	1	Southern Railway Co.	9
Pacific Electric Ry.	1	Southern Pacific Co.—Pacific Lines	275
Patapsco & Back Rivers R. R.	1	Southern Pacific Co.—Texas & Louisiana	27
Pennsylvania R. R.—C., W., E., and New York	4	Tacoma Municipal Belt Ry.	1
Pennsylvania R. R.—West	13	Tennessee Central Ry. Co.	1
Pennsylvania R. R.—Central	6	Terminal Railroad Association of St. Louis	2
Pennsylvania R. R.—East	18	Texas Mexican Ry. Co.	1
Pittsburgh & Lake Erie R. R.	5	Union Pacific R. R.—South Central District	14
Pittsburgh & West Virginia Ry. Co.	1	Union Pacific R. R.—Eastern District	5
Potomac Yard	2	Union Pacific R. R.—Northwestern District	12
Public Belt R. R. Comm. of New Orleans	7	Union Railroad Co.—Pittsburgh	10
Reading Co.	27	Union Ry.—Memphis	3
Richmond, Fredericksburg & Potomac R. R. Co.	5	Union Terminal R. R.—St. Joseph	1
River Terminal Ry.	1	Virginian Ry. Co.	19
St. Louis, Brownsville & Mexico Ry. Co.	1	Wabash R. R. Co.	83
St. Louis, San Francisco Ry. Co.	5	Western Maryland Ry. Co.	16
St. Louis-Southwestern Ry.	39	Western Pacific R. R.	13
San Antonio, Uvalde & Gulf R. R. Co.	1	Youngstown & Northern R. R. Co.	1
San Diego, Arizona & Eastern Ry. Co.	9	Total	1,415
Savannah & Atlanta Ry. Co.	2		

TABLE 5—Cases docketed fiscal year 1950–51; classified according to organization party to submission

Name of organization	Docketed	Name of organization	Docketed
Engineers-Firemen-Conductors-Trainmen	1	Conductors-Trainmen	28
Engineers-Firemen	77	Trainmen	430
Engineers-Firemen-Trainmen	3	Switchmen's Union of North America	42
Engineers	269	United Association of Iron, Steel and Mill Workers	1
Firemen	408	Individual	10
Firemen-Conductors	1	Total	1,415
Firemen-Trainmen	3		
Conductors	142		

SECOND DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

J. A. ANDERSON, *Chairman*
R. W. BLAKE, *Vice Chairman*
A. C. BOWEN
C. S. CANNON
R. P. JOHNSON ¹

T. E. LOSEY
M. E. SOMERLOTT
A. G. WALTHER
E. W. WIESNER
GEORGE WRIGHT

HARRY J. SASSAMAN, *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 10 members, 5 of whom shall be selected by the carriers and 5 by the national labor organizations of the employees.

¹Appointed to succeed M. W. Hassett, Nov. 1, 1950.

Report of cases handled by the second division fiscal year ending June 30, 1951

	<i>Number of cases</i>		<i>Number of cases</i>
Docketed.....	95	Decided without Referee.....	11
Heard.....	82	Withdrawn.....	7
Decided.....	62	Deadlocked.....	66
Decided with Referee.....	51		

COMMENT

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, 28 in number, developed during the fiscal year ending June 30, 1951, 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.

CARRIERS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
Alabama, Tennessee and Northern R. R. Co.....	1	Manufacturers Ry. Co.....	1
Aliquippa and Southern R. R. Co.....	1	Minneapolis & St. Louis Ry. Co., The.....	1
American Refrigerator Transit Co.....	1	Missouri-Kansas-Texas R. R. Co. of Texas.....	1
Ann Arbor R. R.....	1	Missouri Pacific R. R.....	8
Atchison, Topeka and Santa Fe Ry. Co., The.....	9	New York, New Haven and Hartford R. R. Co.....	1
Baltimore and Ohio R. R.....	3	Norfolk and Western Ry.....	1
Boston and Maine R. R.....	1	Northern Pacific Ry.....	2
Chesapeake and Ohio Ry.....	1	Pullman Co., The.....	2
Chicago & Eastern Illinois R. R.....	2	Railway Express Agency, Inc.....	2
Chicago and North Western Ry.....	4	St. Louis-San Francisco Ry. Co.....	1
Chicago, Burlington & Quincy R. R.....	1	St. Louis Southwestern Ry. Co.....	1
Chicago, Rock Island and Pacific R. R. Co.....	6	Seaboard Air Line R. R. Co.....	3
Chicago, St. Paul, Minneapolis and Omaha Ry.....	1	Southern Pacific Co. (Pacific Lines).....	4
Denver & Rio Grande Western R. R. Co., The.....	3	Southern Pacific Lines in Texas & Louisiana (Texas and New Orleans R. R. Co.).....	4
Florida East Coast Ry.....	2	Southern Ry. System.....	1
Great Northern Ry.....	1	Spokane, Portland and Seattle Ry.....	1
Gulf, Colorado and Santa Fe Ry. Co.....	1	Tennessee Central Ry. Co.....	2
Illinois Central R. R.....	6	Union Pacific R. R.....	2
Illinois Terminal R. R. Co.....	1	Wabash R. R. Co.....	2
Long Island R. R. Co., The.....	1	Wichita Terminal Assn., The.....	1
Louisville & Nashville R. R. Co.....	7	Total.....	95

ORGANIZATIONS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
International Association of Machinists.....	18	Brotherhood Railway Carmen of America.....	48
International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America.....	4	International Brotherhood of Firemen and Oilers, Roundhouse and Shop Laborers.....	5
International Brotherhood of Blacksmiths, Drop Forgers and Helpers.....	2	Federated Trades.....	5
Sheet Metal Workers' International Association.....	2	Individually submitted cases, etc.....	1
International Brotherhood of Electrical Workers.....	10	Total.....	95

THIRD DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

C. P. DUGAN, *Chairman*
 GERALD ORNDORFF, *Vice Chairman*
 R. H. ALLISON
 R. M. BUTLER
 C. C. COOK ¹
 A. J. CUNNINGHAM

A. R. FERRIS
 A. H. JONES
 J. E. KEMP
 ROGER SARCHET
 J. H. SYLVESTER

A. I. TUMMON, *Acting Executive Secretary*

¹ C. C. Cook replaced by R. M. Butler December 1, 1950.

JURISDICTION

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

Report of cases handled by the Third Division fiscal year 1951

	<i>Number of cases</i>		<i>Number of cases</i>
Open and on hand July 1 1950	328	Deadlocked	378
Docketed	459	Decided by referee	422
Heard	367	Open and on hand June 30 1951	306
Decided	¹ 483	Interpretations	15
Withdrawn	40		

¹ Award Nos. 4789 and 5023 on docket TE-4614; Award Nos. 4793 and 5259 on docket TE-4706.

CARRIERS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
Abilene & Southern	1	Erie	15
Ann Arbor	1	Florida East Coast	3
Atchison, Topeka & Santa Fe	18	Fruit Growers Express	2
Atlantic Coast Line	9	Grand Trunk Western	1
Baltimore & Ohio	3	Great Northern	2
Boston & Maine	15	Gulf Coast—IGN	3
Central of Georgia	3	Gulf, Colorado & Santa Fe	3
Central R. R. of New Jersey	5	Gulf, Mobile & Ohio	7
Chesapeake & Ohio	10	Illinois Central	11
Chesapeake & Ohio (Pere Marquette)	1	Illinois Terminal	3
Chicago & Eastern Illinois	2	Indiana Harbor Belt	2
Chicago & North Western	8	Indianapolis Union	1
Chicago, Burlington & Quincy	14	Jacksonville Terminal	3
Chicago Great Western	1	Kansas City Southern	4
Chicago, Milwaukee, St. Paul & Pacific	9	Kansas City Terminal	2
Chicago, Rock Island & Pacific	13	Kentucky & Indiana Terminal	2
Chicago, St. Paul, Minneapolis & Omaha	2	Lake Terminal	1
Chicago Union Station	1	Lehigh Valley	1
Cincinnati Union Terminal	2	Long Island	2
Clinchfield	1	Maine Central	2
Colorado & Greenville	1	Michigan Central	1
Colorado & Southern	1	Minneapolis & St. Louis	1
Delaware & Hudson	2	Missouri-Illinois	1
Delaware, Lackawanna & Western	5	Missouri-Kansas-Texas	1
Denver & Rio Grande Western	2	Missouri Pacific Lines	1
Des Moines & Central Iowa	1	Missouri Pacific R. R.	28
Detroit, Toledo & Ironton	1	Missouri Pacific (TL)	6
Duluth, Missabe & Iron Range	3	Nashville, Chattanooga & St. Louis	1
Eastern Weighing & Inspection	1	New York Central	14
		New York, New Haven & Hartford	9
		Norfolk Southern	1

Report of cases handled by the Third Division fiscal year 1951—Continued

CARRIERS PARTY TO CASES DOCKETED—continued

	<i>Number of cases</i>		<i>Number of cases</i>
Norfolk & Western.....	1	Southern Pacific (Mexico).....	1
Northern Pacific.....	13	Southern Pacific (PL).....	24
Northwestern Pacific.....	1	Southern Pacific (TL).....	3
Ogden Union Ry. & Depot.....	7	Spokane, Portland & Seattle.....	3
Pacific Electric.....	1	Tennessee Central.....	5
Pennsylvania.....	27	Terminal Railroad Association	
Pennsylvania-Reading Seashore.....	1	of St. Louis.....	3
Pittsburgh & West Virginia.....	3	Union Belt of Detroit.....	1
Pullman Co.....	18	Union Pacific.....	6
Railway Express.....	26	Virginian.....	1
Reading.....	3	Wabash.....	5
Sacramento Northern.....	4	Western Pacific.....	1
St. Louis-San Francisco.....	4	Western Weighing and Inspec-	
St. Louis Southwestern.....	8	tion.....	1
Seaboard Air Line.....	8		
Southern.....	7	Total.....	459

ORGANIZATION PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
American Train Dispatchers		International Longshoremen's	
Assn.....	31	Assn.....	1
Brotherhood of Maintenance-of-		Joint Council Dining Car Em-	
Way Employees.....	77	ployees.....	24
Brotherhood of Railroad Signal-		The Order of Railroad Tele-	
men of America.....	18	graphers.....	100
Brotherhood of Railroad Train-		Order of Railway Conductors...	3
men.....	5	Order of Railway Conductors	
Brotherhood of Railway and		(Pullman System).....	8
Steamship Clerks, Freight		United Transport Service Em-	
Handlers, Express and Station		ployees of America.....	4
Employees.....	176		
Brotherhood of Sleeping Car		Total.....	459
Porters.....	12		

FOURTH DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

D. H. HICKS, *Chairman*
R. A. WALTON, *Vice Chairman*
L. B. FEE

W. O. HOLMES¹
T. F. PURCELL
M. G. SCHOCH

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 (par. (h), sec. 3, First, Railway Labor Act, 1934).

¹ Replaced by W. J. Ryan January 11, 1951.

Report of cases handled by the Fourth Division for the fiscal year ending June 30, 1951

	<i>Number of cases</i>		<i>Number of cases</i>
Open and on hand beginning fiscal year.....	22	Open cases on hand close of fiscal year.....	20
New cases docketed during fiscal year.....	58	Heard.....	8
		Not heard.....	12
Total number cases on hand and docketed during fiscal year.....	80	Cases heard during fiscal year.....	36
		Cases deadlocked during fiscal year.....	37
Cases disposed of during fiscal year.....	60	Interpretations issued during fiscal year.....	1
Decided without Referee.....	5	Issued without Referee.....	0
Decided with Referee.....	45	Issued with Referee.....	1
Withdrawn.....	10		

CARRIERS PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
Atlantic Coast Line R. R. Co....	1	Delaware, Lackawanna and Western R. R. Co.....	1
Atchison, Topeka and Santa Fe Ry. Co.....	2	Illinois Central R. R. Co.....	8
Baltimore and Ohio R. R. Co....	5	Indiana Harbor Belt R. R. Co....	1
Baltimore and Ohio Chicago Terminal R. R. Co.....	1	Lehigh Valley R. R. Co.....	1
Boston and Albany R. R. (New York Central R. R. Co., Lessee).....	1	Minneapolis, St. Paul & Sault Ste. Marie R. R. Co.....	1
Chesapeake and Ohio R. R. Co....	1	Missouri Pacific R. R. Co.....	1
Chicago, Burlington & Quincy R. R. Co.....	3	New York Central R. R. Co.....	2
Chicago, Milwaukee, St. Paul and Pacific R. R. Co.....	8	Ogden Union Ry. and Depot Co....	1
Cincinnati Union Terminal Co....	1	Port Terminal R. R. Assn.....	1
Delaware and Hudson R. R. Corp.....	2	Pullman Co.....	1
Florida East Coast Ry. Co.....	1	Reading Co.....	1
Great Northern Ry. Co.....	1	St. Louis-San Francisco Ry. Co....	2
		Southern Pacific Co. (Pacific Lines).....	7
		Union Pacific R. R. Co.....	3
		Total.....	58

ORGANIZATION—EMPLOYES PARTY TO CASES DOCKETED

	<i>Number of cases</i>		<i>Number of cases</i>
American Railway Supervisors' Association, Inc.....	9	Railroad Yardmasters of America.....	21
Brotherhood of Railroad Trainmen.....	3	Railroad Yardmasters of North America, Inc.....	1
Brotherhood of Sleeping Car Porters.....	7	Total.....	58
Order of Railway Conductors....	4		
Railway Patrolmen's International Union, A. F. of L....	13		

APPENDIX B

NEUTRAL ARBITRATORS

Arbitrators appointed—Arbitration boards

Name	Residence	Date of appointment	Arbitration and case No.	Parties
Scrimshaw, Dr. Stewart ¹ Donaldson, J. Glenn ¹	Milwaukee, Wis..... Denver, Colo.....	July 18, 1950 ² Aug. 28, 1950 ²	Arb. 138, A-3362..... Arb. 146.....	<i>United Air Lines v. International Association of Machinists, Chicago, St. Paul Minneapolis & Omaha Ry. Co. v. Order of Railway Conductors, Brotherhood of Railroad Trainmen and Brotherhood of Locomotive Firemen and Enginemen, Grand Trunk Western R. R. Co., Chesapeake & Ohio R. R. Co. (Pere Marquette District Wabash R. R. Co., The Ann Arbor R. R. Co. v. Great Lakes Licensed Officers' Organization, F. A. of A.</i>
Douglass, Frank P.....	Pine, Colo.....	Aug. 31, 1950	Arb. 144, A-3393, A-3394, A-3395, A-3396, A-3397, A-3398, A-3399.	<i>Peoria & Pekin Union R. R. Co. v. Brotherhood of Railroad Trainmen.</i>
Simmons, Robert G.....	Lincoln, Nebr.....	Sept. 9, 1950	Arb. 145, A-3448.....	<i>Birmingham Southern R. R. Co. v. Brotherhood of Railroad Trainmen.</i>
Payne, William Howard.....	Washington, D. C.....	Oct. 17, 1950	Arb. 147, A-3509.....	<i>Fort Worth & Denver City Ry. Co. v. Railway Employees' Department, AFL, System Fed. No. 140, including Sheet Metal Workers' International Association.</i>
Clark, Nathaniel S. ¹	do.....	Nov. 2, 1950	Arb. 148, A-3512.....	<i>Pan American World Airways, Inc. v. Local 828 Building Service Employees International Union, AFL.</i>
Singer, Morton ¹	New York, N. Y.....	Oct. 25, 1950	Arb. 149 ³	<i>Pan American World Airways Inc. v. Transport Workers Union of America, CIO.</i>
O'Grady, Joseph E. ¹	do.....	Jan. 29, 1951	Arb. 150, A-3579, and A-3580.....	<i>M-K-T. R. R. Co. and M-K-T R. R. Co. of Texas v. M-K-T System Fed. No. 8, Sheet Metal Workers' International Association, AFL.</i>
Clark, Nathaniel S.....	Washington, D. C.....	Feb. 6, 1951	Arb. 151, A-3517.....	<i>Albion & Southern R. R. Co. v. United Railroad Workers of America, CIO.</i>
Gilden, Harold M.....	Chicago, Ill.....	Feb. 21, 1951	Arb. 152, A-3524.....	<i>Do.</i>
Gilden, Harold M.....	do.....	April 12, 1951 ⁴	Arb. 152, A-3524.....	<i>National Airline, Inc. v. Flight Engineers International Association.</i>
Payne, William Howard.....	Washington, D. C.....	April 16, 1951	Arb. 154, A-3615.....	

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

² Selected by the parties.

³ Arbitration matter withdrawn due to agreement between parties in dispute.

⁴ Reappointed to render an interpretation of award previously rendered by arbitrator.

Arbitrators appointed—Special board of adjustment

Name	Residence	Date of appointment	Parties
Shake, Curtis G.	Vincennes, Ind.	Oct. 23, 1950	<i>Chesapeake & Ohio Ry. Co. and Brotherhood of Railroad Trainmen.¹</i>
Leiserson, Dr. Wm. M.	Washington, D. C.	June 11, 1951	<i>The Baltimore & Ohio R. R. Co., The Baltimore & Ohio Chicago Terminal R. R. Co. and Staten Island Rapid Transit Ry. Co. and the Brotherhood of Railroad Trainmen.²</i>

¹ Identified as Special Board of Adjustment No. 4.

² Identified as Special Board of Adjustment No. 5.



