

Twenty-second
ANNUAL REPORT OF THE
NATIONAL
MEDIATION
BOARD

INCLUDING
THE REPORT OF THE
NATIONAL RAILROAD
ADJUSTMENT BOARD



For the Fiscal Year Ended JUNE 30, 1956

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UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1957

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

NATIONAL MEDIATION BOARD

Fiscal Year Ended June 30, 1956

ROBERT O. BOYD, *Chairman*

LEVERETT EDWARDS

FRANCIS A. O'NEILL, Jr.

EUGENE C. THOMPSON, *Executive Secretary*

LETTER OF TRANSMITTAL

NATIONAL MEDIATION BOARD,
OFFICE OF THE CHAIRMAN,
Washington, D. C., November 1, 1956.

*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 Twenty-Second Annual Report of the National Mediation Board for the fiscal year ended June 30, 1956, together with the annual report of the National Railroad Adjustment Board, as required by section 3 first (v), of the same act.

ROBERT O. BOYD,
Chairman.

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I. SUMMARY AND OBSERVATIONS

This report summarizes the National Mediation Board's work in administering the Railway Labor Act during the fiscal year ending June 30, 1956.

The Board is able to report that the purpose of the act to provide for prompt disposition of disputes between carriers and their employees was achieved during the past fiscal year with only minor interruptions of major transportation facilities due to labor disputes.

Actual strikes which occurred in fiscal year 1956 are outlined in detail in the following section of this report. It is noteworthy, however, that few of the strikes were of long duration and in most cases transportation continued without serious interruption to interstate commerce.

In appraising the experience of the past year, it can also be observed that the procedures of the act met the test for which they were designed, i. e., the peaceful settlement of labor disputes. It would be mere speculation to attribute any single circumstance as having produced this period of relative industrial peace in the railroad and airline industries served by this Board, as the labor relations "climate" in any given period is influenced by many and varied factors, including among others, the extent and complexities of the demands, economic trends and "pattern" settlements in other industries. Attention, however, can be directed to the praiseworthy contribution made by the leaders of both labor and management in settling either in direct negotiations or through established procedures of the act, industry-wide wage and rules demands made during this period.

Seven "national" settlements were made during the past fiscal year; two were reached in direct negotiations, two others following Emergency Board recommendations, and the remaining three settlements were made in mediation proceedings. These settlements are discussed in detail under the caption "Items of Special Interest" in this chapter.

National settlements serve to dispose of many other pending disputes which are not directly involved, because authority was not delegated to the National Committees for handling.

In many instances while negotiations were being conducted at a national level carriers who for one reason or another are not represented in such negotiations, make a so-called stand-by agreement with the organization representing their employees. Stand-by agreements simply provide that the parties will adopt the same settlement in their dispute as is agreed upon by the parties to the national conferences. On other carriers where it is not the practice to make stand-by agreements, the national settlements "patterns" are adopted by agreement with the organization representing their employees or are used by the carrier and organizations as a basis for negotiating an agreement tailored to local circumstances.

While the national cases involve the concerted general wage increase and rules change movements which effect the principal carriers

throughout the railroad industry, these cases comprehend only one phase of the Board's mediation activities. In addition, changes in working rules, adjustment of wages or general revisions of agreements on the rail and air carriers are progressed by individual carriers and organizations to settle local problems. During the fiscal year, the Board disposed of a total of 324 cases initiated by a request for the Board's mediatory services after the parties had failed to reach settlement or were handled by the Board after proffer of its services when strike threats or emergency situations arose following the breakdown of negotiations. Most of these cases were disposed of by agreements between the parties reached in mediation. In some cases the parties agreed to arbitrate the issue involved and in others the dispute was submitted by agreement to the parties to Special Boards of Adjustment for adjudication.

In three instances the President was notified in accordance with the provisions of the act that an emergency situation involving major transportation facilities existed after failure of mediation and declination to arbitrate by one or other of the parties. Emergency Boards, 111, 112, and 113 were created by the President to investigate the facts and report respecting these disputes.

The recommendations of these Boards are summarized in Chapter V. In each instance the emergency situation was disposed of after the Emergency Board reported without interruption to transportation facilities due to strike action. One case was disposed of during further mediation proceedings, the other two were settled in direct negotiations by the parties.

The Railway Labor Act which is the framework within which approximately 1,200,000 workers employed by over 700 common carriers by rail and some 130,000 employees of over 100 commercial airlines conduct day-to-day labor relations could not operate effectively without mature and responsible leadership on both sides of the bargaining table.

The occasion for labor disputes is present in the transportation industry for the same reasons that disputes occur in other industries. However, leaders of both labor and management in the industry recognize that rail and air transportation is essential to the economy of the Nation and that public necessity and welfare require responsible guidance in handling labor relations so as to avoid interruption to the service required by the public.

Congress recognized this fact when as early as 1888, it adopted under the power granted by the Constitution to regulate commerce among the States, legislation designed to prevent or minimize interruptions to transportation by establishing methods and procedures for the peaceful solution of employer-employee problems in the industry.

The present Railway Labor Act adopted in 1926 represents the product of 68 years of accumulated experience gained through previous legislation, at the bargaining table, in the courts and during Federal operation of the railroads in the First World War.

The law adopted in 1926 represented the joint views of labor and management of an appropriate framework within which the parties could manage their industrial relations. This framework provided a procedural process for handling differences between the railroads, the express and pullman companies on the one hand and their employees on the other, growing out of their attempts to make and maintain

agreements establishing the rates of pay, rules and working conditions of the employees.

The act was based upon recognition of the principle of collective bargaining and was accepted by labor and management not only as a legal obligation but as the cornerstone upon which to build true harmonious labor relations. The necessity for both parties to designate representatives without interference, influence or coercion by the other party and the need for representatives of both parties to meet promptly in conference in order to settle labor disputes was recognized by the provisions incorporated in the act.

Improvements and refinements of procedures have been adopted since that date. In 1934, sections 2 and 3 were added to the act. Section 2 provides a procedure by which the Board could certify to a carrier the representative of a craft or class of employees. This section of the act recognized the right of a majority of the employees in a craft or class to represent all the employees in that craft or class. This provision provided a method by which the carrier could assure itself that negotiations concerning wages, rules and working conditions were being conducted with the representative who had the authority to speak and act for all the employees in the craft or class.

The National Railroad Adjustment Board was created by section 3 of the act. Disputes growing out of grievances or out of interpretations or application of agreements concerning rates of pay, rules or working conditions may be referred to this Board for adjudication. This amendment made it possible for either party to progress disputes of this nature for adjustment to that Board without the necessity of agreement or concurrence of the other party. Previously it was necessary that both parties concur before such disputes could be submitted to a board of adjustment.

In 1936 the act was further amended to extend the jurisdiction of the Board to common carriers by air engaged in interstate commerce or transporting mail for or under contract with the United States Government.

The act was amended in 1951 so as to permit carriers and labor organizations to make agreements requiring as a condition of continued employment that all employees of a craft or class represented by the labor organization, become members of that organization. This amendment (section 2, eleventh) also permitted the making of agreements providing for the checkoff of union dues, subject to specific authorization of the individual employees in this connection.

The primary functions of the National Mediation Board briefly stated are: First: the mediation of disputes between carriers and the labor organizations representing their employees relating to changes in rates of pay, rules and working conditions. Second: the duty of certifying the representative of any craft or class of employees to the carrier after investigation through secret ballot elections or other appropriate methods of the employees' representation choice.

In addition to these primary functions, the Board has other duties imposed by law among which are: The interpretation of agreements made under its mediatory auspices; the appointment of neutral referees when requested by the various divisions of the National Railroad Adjustment Board to make awards in cases that have reached deadlock; the appointment of neutrals when necessary in arbitration held under the act, the appointment of neutrals when requested to sit with System and Special Board of Adjustment; certain duties pre-

scribed by the act in connection with the eligibility of labor organizations to participate in the selection of the membership of the National Railroad Adjustment Board, and also the duty of reporting to the President of the United States labor disputes which in the judgment of the Board threaten to substantially interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation. In such cases the President may in his discretion appoint an emergency board to investigate and report to him on the dispute.

1. STRIKES AND THREATENED STRIKES

During the fiscal year ending June 30, 1956, actual work stoppages on railroads and airlines which received handling by the Board remained at the same level as in the preceding fiscal year, viz. a total of 13. However, slightly over half of these strikes were of four or less days' duration, and in several instances these work stoppages did not interfere substantially with normal scheduled operations, because the disputes were confined to isolated points or the type of work performed by the striking employees did not immediately affect the movement of traffic.

Five of the thirteen strikes occurred on airlines, and the remaining eight on railroads.

A few strikes of a day or less occurred which were settled by the parties without invoking the Board's services.

A tabulation of the strikes occurring during the fiscal year is shown as table 7 in the appendices.

Divided into main categories, the following tabulation shows the principal causes of the 13 strikes which took place during the fiscal year.

<i>Rail Carriers</i>	
Wage requests.....	1
Wage and rules requests.....	3
Rules change request.....	1
Grievances and time claims.....	3

<i>Air Carriers</i>	
Wages and rules request.....	5

Strikes on Rail Carriers

Of the eight strikes which occurred on rail carriers, only three were of any appreciable duration, and these were on relatively small lines. A brief summary of these three strikes follows:

CASE A-4948.—*International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, International Association of Sheet Metal Workers, Brotherhood of Railway Carmen, The Order of Railroad Telegraphers, and the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees and the Columbus and Greenville Railway Co.*

A strike of 20 days duration occurred on this 168-mile railroad operating in the State of Mississippi following a breakdown of direct negotiations involving demands of these organizations on behalf of certain nonoperating employees of the carrier involved, for improved vacations, paid holidays, a health and welfare plan and other rules proposals, identical to the demands served on principal carriers of the country by the organizations representing nonoperating employees, under date of May 22, 1953.

This carrier did not authorize a Carrier's Conference Committee to handle the dispute involving these issues, and this strike arose out of the efforts of the organizations to have the carrier apply the settlement of August 21, 1954, reached with other carriers through handling on a national basis.

The Board proffered its services on August 23, 1955, and the dispute was disposed of by agreement between the parties reached in mediation proceedings and the employees returned to work September 7, 1955.

CASE A-5091.—*Brotherhood of Railroad Trainmen and Macon, Dublin and Savannah Railroad Company*

A strike of 55 days duration occurred on this 93-mile railroad operating in the State of Georgia, following failure of direct negotiations, mediation and a declination by the organization to arbitrate a demand on behalf of certain train service employees of the carrier for an increase in daily basic rates of pay of \$2.50.

This demand was identical to that served by the organization on the principal carriers throughout the country, and which was settled at the national level. This carrier, however, did not authorize the Carriers' Conference Committee to represent it in national negotiations, and in subsequent separate handling the organization was not satisfied to settle for the "pattern" increase established nationally, but insisted that increases in pay be granted sufficient to bring the rates of pay for employees involved in line with rates paid by other carriers in the territory, to which demand the carrier counter-proposed adoption of certain rules similar to those in effect on other carriers which it felt were more favorable to it than its present contract rules on the subject.

A compromise settlement was finally reached between the parties in further mediation proceedings and the employees returned to work June 23, 1956.

CASE A-4856.—*Federal Labor Unions Local 24464 and Pacific and Arctic Railway and Navigation Co. (White Pass and Yukon Railroad).*

A strike of 44 days duration occurred on this 111 mile railroad operating in the territory of Alaska, following failure of direct negotiations, mediation and a declination by both parties to arbitrate a demand on behalf of the maintenance of way and shop craft employees of this carrier.

The dispute was finally settled in further direct negotiations between the parties and the employees resumed work October 20, 1955.

Three instances of work stoppages on major rail carriers occurred, but these were confined to parts of the operation of these carriers at one or several localities, and their effect was minimized by the fact that the disputes were disposed of within several days and normal operations were restored. The other two instances of work stoppages of 2 days duration occurred on a small switching road serving a steel plant in the eastern territory and another of 3 days duration on a small line in the midwest.

Strikes on Air Carriers

Of the five strikes which occurred in the airline industry, two were on major air carriers. However, in one of these instances, the strike did not seriously interfere with the maintenance of flight schedules. One strike of 2 days duration involved a small supplemental (or "nonscheduled") carrier in Florida; another of 4 days duration in-

volved a so-called local or feeder line, and in the remaining instance a strike on another supplemental (or "nonscheduled") carrier which started on June 30, 1956, is included in this report because the dispute was settled within a comparatively short time after the close of the fiscal year. The work stoppages in the latter two instances had little or no effect on the maintenance of flight schedules.

The strikes of the longest duration on air carriers are summarized below:

CASE A-4916.—*Flight Engineers International Association and United Air Lines, Inc.*

A strike of 53 days duration occurred on this major trunk line air carrier but failed to interfere substantially with maintenance of flight schedules.

The principal issue which led to this strike was the inclusion among the demands for wages and rules changes by the organization of a provision requiring as qualification to act as Flight Engineers a so-called A & E rating (Airman Certification with Flight Engineer, Airframe and Powerplant rating) in opposition to a company policy of recruiting Flight Engineers from the ranks of men qualified to act as Pilot.

Following failure of direct negotiations mediation and a declination by the organization to arbitrate the dispute, the Flight Engineers engaged in a work stoppage.

The dispute was finally settled in further negotiations, and the employees returned to work on December 14, 1955.

CASE A-3661 and A-4948.—*Brotherhood of Railway and Steamship Clerks and Western Air Lines, Inc.*

A strike of 35 days duration occurred on this airline, following failure of direct negotiations, mediation and a declination by the airline to arbitrate demands involving:

(1) Union shop and checkoff agreement.

(2) Wage increase and rules changes proposals of the organization and proposals for rules changes by the airline.

During further mediation proceedings conducted by the Board, the parties reached agreement on March 11, 1956, disposing of certain of the wage and rules issues involved, excluding the union shop and checkoff request, and terminating the strike.

CASE A-5107.—*International Association of Machinists and United States Overseas Airlines.*

A strike by airline mechanics at the Wildwood, N. J., maintenance base of this supplemental carrier commencing June 30, 1956, and continuing for 25 days, failed to interfere substantially with flight schedules of the carrier. The work stoppage appeared to be in the nature of a protest by the employees over delays in securing proper bargaining conferences with the carrier.

On July 24, 1956, through the efforts of a mediator, the parties agreed to enter into negotiations on the demands of the organization for an initial contract covering rates of pay, rules and working conditions of the employees involved.

Eight of the 13 strikes reported during the past fiscal year were settled through the processes of mediation, one dispute was submitted to arbitration by agreement between the parties, and the remaining four were settled by further direct negotiations between the parties.

During the fiscal year, reports were made by five emergency boards created by Executive Order of the President. These five disputes involved major transportation facilities, and the emergency boards were created after strike threats were made following failure of negotiations, mediation, and refusal to arbitrate by one or both parties involved. However, the disputes were eventually settled without strike action. A review of these emergency boards' proceedings will be found in Chapter V of this report.

The incidence of emergency situations created by threats of strikes continued at about the same rate as in previous fiscal years. In these instances the organizations will spread a strike ballot following breakdown of direct negotiations and before invoking the services of the Board. In such situations the Board proffers its services under section 5, first (b) of the act and the organization defers strike action pending provision of mediation service.

Many of these cases involve time claims and grievances as well as several requests for rules changes. As has been pointed out elsewhere in this report, time claims and grievances are matters properly referable to the National Railroad Adjustment Board under the act. In the handling of cases of this type the Board's practice and procedure is to treat the issues separately and to endeavor to have the parties submit time claims and grievances to the National Railroad Adjustment Board, or agree to submit them to a Special Board of Adjustment, if settlement is not otherwise effected. Any wage or rules change requests involved are progressed through the regular channels of mediation and proffer of arbitration, if settlement is not reached.

In practically all instances this year settlements in these emergency situations have been effected by mediation agreements. In other instances the parties have been induced to arbitrate, or agreed to submit the controversies to Special Boards of Adjustments.

2. ITEMS OF SPECIAL INTEREST

National Wage and Rules Cases—Railroads (1954-1955)

At the beginning of the fiscal year July 1, 1955, there were pending several demands served on the principal carriers of the country by certain organizations representing operating employees of such carriers.

In one instance, the demands of the Brotherhood of Locomotive Firemen and Enginemen were in the process of being heard by Emergency Board No. 110, this Board having been created by the President, following failure of direct negotiation, mediation (Case A-4854), and declination by the organization to arbitrate the dispute. The Emergency Board issued its report to the President on July 30, 1955.

The report contained recommendations, summarized in Chapter V, relating to a pay increase formula for certain yard engine service employees represented by the Brotherhood of Locomotive Firemen & Enginemen, in connection with conversion to a 40-hour work week basis. Thereafter, the parties met in further direct negotiations to consider the report of the Emergency Board and on failure of these negotiations to produce agreement, the parties so advised the National Mediation Board. The Board then proceeded to conduct further mediation in this case. At the same time separate mediation was being conducted nationally on the demands of the Brotherhood of Railroad Trainmen covering separate notices served by that

organization on the principal carriers of the country under dates of June 7, 1954 and June 15, 1955, and also on the demands of the Switchmen's Union of North America, served on certain carriers in the western territory under date of July 15, 1954.

On October 4, 1955, a settlement was reached in mediation proceedings (Cases A-4864 and A-5000) between the Brotherhood of Railroad Trainmen and the Carriers' Committees representing the principal carriers of the country, providing for an increase of 10½ cents per hour effective October 1, 1955, in basic rates of pay of "road" and "yard" service employees represented by this organization.

Daily earnings minima applicable to employees in passenger service was increased by addition of 60 cents and provision was made for minimum daily earnings guarantees to employees performing certain types of freight service.

The settlement also provided for an additional increase in pay to "yardmen" already working on a 40-hour week basis and those converting to the 40-hour work week in the future, by adoption of the conversion pay increase formula contained in the recommendations of Emergency Board 110.

Under the terms of the settlement, each carrier, party to the agreement which had not previously adopted the 40-hour work week for the employees involved was required to make such change as of December 1, 1955.

Yardmasters and Dining Car Stewards represented by the Brotherhood of Railroad Trainmen also received monthly increases in pay of \$21 and \$30 respectively, with the proviso that part of the monthly increase applicable to these classifications was in lieu of a carrier-financed health and welfare plan, and that if the organization desired to move at some future date for a carrier-financed health and welfare plan for these employees, this portion per month or such part thereof as may be required under a plan adopted by mutual agreement will automatically be converted for payment of such health and welfare plan as may be adopted.

This settlement also made provision for an additional increase in pay to yardmasters represented by the Brotherhood of Railroad Trainmen, already on a 40-hour week basis, or later converting to such reduced work week, on the basis of the conversion pay increase formula contained in the recommendation of Emergency Board 110.

On October 10, 1955, an agreement was reached in mediation proceedings (Case A-4865) between the Switchmen's Union of North America, and a committee representing certain carriers in the western territory, providing for an increase of 10½ cents per hour, effective October 1, 1955, in basic rates of pay of yardmen represented by this organization.

The settlement also provided for an additional increase in pay to yardmen already working on a 40-hour week basis and those converting to the 40-hour work week in the future, by adoption of the conversion pay increase formula contained in the recommendation of Emergency Board 110.

Under the terms of the settlement, each carrier, party to the agreement, which had not previously adopted the 40-hour work week for the employees involved are required to make such change as of December 1, 1955.

On October 14, 1955, an agreement was reached (Cases A-4933 and

A-5001) between the Brotherhood of Locomotive Firemen & Enginemen and the various carriers' committees, as a result of mediation sessions undertaken after the Emergency Board Report referred to above, providing for an increase in basic rates of pay of 8 cents per hour to employees represented by this organization in "road" engine service and 4½ cents per hour to employees in "yard" engine service, effective October 1, 1955.

Daily earnings minima applicable to passenger service employees was increased by addition of \$1.10 and provision was made for minimum daily earnings guarantees of \$18.49 for engineers and \$16.39 for Firemen in local freight, mine run, wreck, work, helper and road switcher (not including pool, chain gang or converted) service and not now subject to other guarantees.

Under this settlement, the pay increase formula for conversion to a 40-hour week basis recommended by Emergency Board 110, applicable to engineers and firemen in yard service (including hostlers and hostler helpers), was adopted and in addition, increases totaling 8½ cents per hour were also provided for such employees represented by the Brotherhood of Locomotive Firemen and Enginemen already on the 40-hour work week. Provision was also made to apply a like increase to employees in these classifications who may later convert to the 40-hour work week.

The agreement also provided for a further increase of 25 cents per day, effective June 1, 1955, to yard engineers already on the 40-hour work week; this same increase to be applicable to other yard engineers when converting to the 40-hour work week.

On October 27, 1955, the Brotherhood of Locomotive Engineers reached a settlement in direct negotiations with the carriers' committees representing the principal carriers of the country on its wage increase demands for engine service employees represented by it, served February 15, 1955.

The settlement provided that effective October 1, 1955, all standard basic rates of pay of locomotive engineers, in effect September 30, 1955, shall be increased by an amount equal to 7 percent of the average basic daily rates in each class of service. Two percent of this amount was stipulated as "an adjustment of differential inequities between locomotive engineers and employees in other classes of railroad services."

The percentage increase adopted in this settlement resulted in average daily increases to employees represented by this organization in various classes of service as follows: Passenger \$1.09; through freight \$1.25; yard \$1.22; and local freight \$1.29.

Standard basic daily rates of pay for locomotive engineers in local freight service were raised to 56 cents per day in excess of standard basic daily rates of pay in through freight service, with proviso that rules providing for differentials other than standard were not changed.

Standard minimum daily earnings guarantees for locomotive engineers applicable to passenger service were set at \$17.43. Other than standard daily earnings minima for locomotive engineers were increased in the same money amount as applied to the standard daily earnings minimum. Minimum daily earnings guarantees from all sources, of locomotive engineers in local, freight, mine run, wreck, work, helper and road switcher (not including pool, chain gang or converted) service, and not now subject to other guarantees were set at \$18.49.

The agreement provided that the 40-hour work week would not be placed in effect until the Brotherhood of Locomotive Engineers desires to place it in effect for all yard engineers it represents on all carriers parties to the agreement, and such change if desired will be subject to 60 days' notice to the individual carriers and further in such event the pay increase formula for conversion to the 40-hour work week basis recommended by Emergency Board 110 would be applicable.

On December 21, 1955, settlement was reached in the mediation proceedings (Case A-5024) involving the Order of Railway Conductors and Brakemen and the carriers' committees representing the principal carriers of the country on the wage increase demands of employees represented by this organization, served August 15, 1955.

The settlement provided for an increase of 10½ cents per hour October 1, 1955, in basic rates of pay for employees represented by this organization. The agreement also provided that effective October 1, 1955, standard basic daily rates of pay of road conductors in passenger service and standard basic daily rates of pay of road freight conductors (using for purposes of this adjustment only the rate of \$15.37 in the East and Southeast and \$15.31 in the West), in effect September 30, 1955, would be increased by an additional amount equal to 2 percent. The local freight differential was maintained. Daily earnings minima applicable to employees in passenger service was increased by addition of 60 cents and provision was made for minimum daily earnings guarantee to employees in local freight and mine run (not including pool, chain gang or converted) service and not now subject to other guarantees, as follows:

	<i>East and Southeast</i>	<i>West</i>
Conductors-----	\$17. 23	\$17. 16
Brakemen-----	15. 37	15. 32

The 2 percent differential adjustment for road passenger and freight conductors and the specified minimum daily earnings guarantee applicable to conductors, as outlined in the preceding settlement was adopted by the Brotherhood of Railroad Trainmen by agreement dated December 21, 1955, amending its agreement of October 4, 1955, in that respect, resulting in uniformity of the minimum daily earnings guarantees to employees in the above classifications represented by both organizations.

Each of the agreements, covering settlements outlined above with the organizations representing operating employees, contained two identical provisions:

(1) That the settlement allowance was subject to a proviso that if the organizations desire to pursue pending notices for health and welfare benefits or to move for a carrier-financed health and welfare plan, 4 cents per hour, of the settlement allowances, or such portion thereof as may be required under a plan adopted by mutual agreement will automatically be converted on such railroad or railroads for payment of such health and welfare plan as may be adopted.

(2) A "moratorium" restricting, except by mutual agreement, any of the parties from initiating or progressing requests for creating, eliminating, increasing or decreasing, "arbitraries" until June 30, 1956, and such requests not to be initiated or progressed except upon 30 days' notice thereafter given.

On April 2, 1955, 12 cooperating organizations, representing practically all the nonoperating employees on railroads of the country, served notices on the principal railroads to amend the existing agreement relating to health and welfare benefits to employees, so as to provide that the full premium cost of such health and welfare benefits would be borne by the carriers. (Under the existing agreement premium costs were shared on equal basis by the carrier and individual employees.)

On August 1, 1955, 11 of these cooperating organizations representing nonoperating employees also served notices on the principal carriers of the country for an increase in rates of pay of 25 cents per hour.

On September 30, 1955, the Board proffered its services in the dispute as the organizations began circulating a strike ballot among the employees they represent based upon these pending and unsettled demands.

Mediation was conducted from October 5, 1955, to November 7, 1955 (A-4985), without effecting settlement of the dispute and on declination by the organizations of the proffer of arbitration by the Board, the President was notified of an emergency situation in accordance with section 10 of the act.

The President by Executive Order dated November 7, 1955, created Emergency Board No. 114. This Board after hearing the dispute issued its report to the President on December 12, 1955 making recommendations (summarized in chapter V) for the settlement of the controversy.

Thereafter the parties resumed direct negotiations and on December 21, 1955, reached agreements providing in substance:

- (1) Effective March 1, 1956, the carriers would assume all of the specified present cost of the group policy contract providing for health and welfare benefits for employees covered by the terms of the agreement and a similar arrangement to bear the specified present hospital plan dues of employees on carriers having hospital association plans.
- (2) Effective December 1, 1955, all existing hourly rates of pay of employees covered by the agreement were increased by 14½ cents.

Employees represented by the Hotel and Restaurant Employees and Bartenders International Union were granted an increase of 13½ cents per hour effective December 1, 1955, with proviso that effective March 1, 1956, such increase would be reduced by an amount equivalent to the payment required to be made by the individual carriers on behalf of the employees covered by the agreement for participation in the health and welfare plan applicable to other nonoperating employees.

This settlement was to give effect to an adjustment for a previous wage and rule settlement similar to the 1953 operating employees "pattern" settlement which the organization had accepted in lieu of the nonoperating employees "pattern" settlement of August 21, 1954.

On January 25, 1956, settlement was reached in direct negotiations between the Railroad Yardmasters of America and Carriers' Committees representing certain carriers in the eastern, western, and southeastern territories, providing for an increase of \$43 per month, effective October 1, 1955. The agreement stipulated that \$10 per

month of such increase was granted with the understanding that such amount would become and be applied as part of the conversion factor in event the organization desired to place the entire craft or class of yardmasters on a 5-day work week on all carriers upon which the organization represents yardmasters.

On February 1, 1956, settlement was reached in mediation (Case A-5030) between the American Train Dispatchers Association and Carriers' Committees representing the principal carriers of the country for an increase in monthly rates of pay of \$34. The agreement stipulated that \$8.20 of this monthly increase was granted as "an adjustment of differential inequities between train dispatchers and employees in other classes of railroad service."

Each of the agreements covering the settlements outlined above with the Railroad Yardmasters of America and the American Train Dispatchers Association contained a proviso that \$6.80 of the monthly increase granted was in lieu of a carrier-financed health and welfare plan, and that if the Organizations desired to move at a later date for a carrier-financed health and welfare plan for the employees represented by each organization, this \$6.80 per month or such portion thereof as may be required under a plan adopted by mutual agreement will automatically be converted for payment of such health and welfare plan as may be adopted.

1956 National Wage and Rules Movements—Railroads

The following is a tabulation of wage increase and rules change demands of various railroad labor organizations, representing both operating and nonoperating employees, which have been made on the principal carriers throughout the country, during the calendar year 1956 and are at this writing either being considered on a national basis, or requests for national handling have been included in the notices to the individual carriers:

Brotherhood of Locomotive Firemen & Enginemen—January 1, 1956.	\$3 increase in basic daily rates of pay. Establish a hospital, surgical and medical plan without cost to employees.
Brotherhood of Railroad Trainmen—February 15, 1956.	\$3 increase in basic daily rates of pay. \$2.50 increase in basic daily rates of pay of employees engaged in short turn-around passenger service. Holiday pay.
Railroad Yardmasters of America—March 27, 1956.	\$34 per month increase.
Switchmen's Union of North America—March 31, 1956.	25 percent increase in basic daily rates, 8 percent of which is specified as "adjustment to compensate for inequities in earnings between switchmen and roadmen." Holiday pay.
11 nonoperating employee organizations—June 20, 1956.	25 cents per hour increase.
American Train Dispatchers Association—July 1, 1956.	20 percent increase in monthly rates of pay.
Order of Railway Conductors and Brakemen—July 2, 1956.	25 percent increase in basic daily wage rates. 20 percent additional increase for all minimum paid passenger assignments whose work opportunity is confined to 150 miles per day.

Order of Railway Conductors and Brakemen—August 28, 1956 (supplemental demands counter proposed to carriers' rules change proposal).

Increase basic day and overtime freight and passenger service. Increase overtime in short turn-around passenger service. Increase allowances for number of cars hauled in train. Holiday pay. Night shift differentials. Improve vacation allowances.

Brotherhood of Locomotive Engineers—September 1, 1956.

15 percent increase in existing rates of pay.

The carriers on which the above demands have been served have in practically all instances made counter-proposals to the organizations. In general, the carriers' proposals comprehend reduction in rates of pay in some instances, elimination of certain occupational classifications and change in the basic day miles and hours pay formula applicable to road service employees to increase the mileage of runs and time on duty of employees.

At this writing applications for mediation have been received by the Board on all of the above disputes, and mediation proceedings were in progress at the time this report went to press.

In the Twenty-first Annual Report, reference was made under Items of Special Interest, to the recommendation made by Emergency Board No. 109 that a Commission be established to make a comprehensive review of the wage structure of the railroads, specifically in the operating classifications.

The Board reported at that time that it was exploring this recommendation with officials of carrier associations and the presidents of the five organizations representing practically all operating employees on carriers throughout the country.

The matter at the close of this fiscal year was still under consideration by the various parties and no formal action can be announced at this time.

Two cases of interest are now awaiting action of the Supreme Court of the United States. Both cases involve the question as to whether under certain circumstances the administrative processes provided in the Railway Labor Act must be exhausted before resorting to the use of economic strength, and also the question of conflict, if any, between the provisions of the Railway Labor Act and the anti-injunction provisions of the Norris-LaGuardia Act.

These cases involve the Brotherhood of Railroad Trainmen, et al. *vs.* Chicago River and Indiana Railroad Co., et al. (U. S. Court of Appeals, 7th Circuit, decided Feb. 6, 1956)¹ and Central of Georgia Railway Co. *vs.* Brotherhood of Railroad Trainmen (U. S. Court of Appeals, 5th Circuit, decided Feb. 10, 1956).² Petition for certiorari has been granted by the United States Supreme Court (Docket 313, October Term 1956).

3. UNION SHOP AMENDMENT

At the close of the previous fiscal year, litigation was pending in various State Courts, which involved the conflict between the so-called right to work laws of the individual States and the amendment to the Railway Labor Act (section 2, eleventh, approved June 10, 1951). These cases also involved question as to the constitutionality of this amendment to the act, which permitted carriers and labor organiza-

¹ 229 F 2d 926.

² 229 F 2d 901.

tions to enter into agreements requiring employees as a condition of continued employment to become members of the labor organization representing the craft or class of employees.

In one such case, *Hanson v. Union Pacific Railroad Co.*,³ the Supreme Court of the State of Nebraska on July 1, 1955, decided that section 2, eleventh of the Railway Labor Act was in violation of the First and Fifth Amendment to the Constitution of the United States, and therefore, there was no valid Federal law to supersede the "right to work" provision of the Constitution of the State of Nebraska, which among other things, prohibited the making of contracts by individuals, corporations, or associations of any kind, to exclude persons from employment because of membership in or nonmembership in a labor organization; and affirmed the decision of the State District Court which had granted an injunction barring the carrier from enforcing a union shop agreement which it had made with certain organizations representing its nonoperating employees.

This case was appealed to the Supreme Court of the United States, and on May 21, 1956, by unanimous decision (Mr. Justice Frankfurter filing a separate but concurring opinion) the Court upheld the constitutionality of the so-called Union Shop Amendment to the Railway Labor Act, and precedence of this Federal legislation over State laws in conflict with it in the case of *Railway Employees' Department, et al. vs. Robert L. Hanson, et al.*⁴

In substance, the Supreme Court held that "the requirements (of section 2 eleventh) for financial support of the collective bargaining representatives of the employees, who receive the benefits of its work is within the power of Congress under the Commerce Clause of the Constitution and does not violate the First or Fifth Amendments to the Constitution, and that the amendment to the Railway Labor Act expressly permits the making of these agreements notwithstanding any law of any State, and that a union agreement made pursuant to the Railway Labor Act by force of the Supremacy Clause of Article VI of the Constitution could not be made illegal nor vitiated by any provision of the laws of a State.

Petition for rehearing was denied October 8, 1956.

³ 71 N. W. 2d 526.

⁴ 351 U. S. 225.

II. RECORD OF CASES

1. CASES HANDLED BY THE BOARD

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

(1) Disputes involving representation of employees by various labor organizations for the purpose 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.

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 sometimes 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 facilitates the work of the mediator in his handling of the case. In certain instances facts developed by correspondence or on the ground investigation disclose that the dispute is properly referable to the National Railroad Adjustment Board.

The total number of all cases docketed during the fiscal year 1956 was 409. This represents a decrease of 42 cases over the previous year. The decrease occurred in the number of mediation cases docketed—288 cases of this type were docketed in the past fiscal year contrasted with a total of 353 docketed in fiscal year 1955. Representation cases docketed increased 12 over the previous year to a total of 108. Thirteen interpretation cases were docketed during the past fiscal year, an increase of 11 over fiscal year 1955.

The decrease in the number of mediation cases docketed during the past fiscal year can be attributed in part to the policy of the Board inaugurated in November 1955 to assign an "E" number designation to certain type cases initiated when strike dates are set by labor organizations rather than assign them in the usual "A" number designation assigned mediation cases. During the period November 1955 to June 1956 the Board docketed 45 cases in the "E" number designation.

2. DISPOSITION OF CASES

Table 2 shows that 324 mediation cases were disposed of during the fiscal year 1956, as contrasted with 312 cases disposed of during the

previous year and making a total of 5,093 mediation cases disposed of during the 22-year period of the Board's operation. Railroads were involved in 260 of the cases disposed of, while the 64 remaining cases pertained to airlines.

As shown by table 3, 98 of the 117 representation cases disposed of involved railroads, 19 involved airlines. The Board has disposed of 3,053 representation cases since it began operation in 1934.

There were seven interpretation cases disposed of in the past year, all pertained to railroads. This makes a total of 43 interpretation cases disposed of during the life of the Board.

3. MAJOR GROUPS OF EMPLOYEES INVOLVED IN CASES

A total of 16,325 employees were involved in the 117 representation cases disposed of by the Board. Train, engine, and yard service employees accounted for 31 cases involving 8,245 employees; maintenance of way employees were involved in 19 cases and yardmasters in 13 cases. In the airline industry stewards, stewardesses, and pursers accounted for four representation cases. Mechanics and clerical employees were each involved in three cases.

Train, engine, and yard service employees accounted for 150 of the 260 mediation cases in the railroad industry; mechanics accounted for 14 mediation cases in the airline industry, and pilots were involved in 19 of the total of 64 mediation cases in that industry.

4. RECORD OF MEDIATION CASES

During the fiscal year ending June 30, 1956, 288 mediation cases were docketed, a decrease of 65 from the previous year. These added to the 170 on hand at the beginning of the fiscal year make a total of 458 cases considered during the period. A total of 324 cases were disposed of during the year, leaving 134 unresolved cases on hand at the end of the year.

Class I railroads were involved in 188 mediation cases while switching and terminal railroads accounted for 44 cases of the total of 260 cases involving rail carriers. The airline carriers were involved in 64 mediation cases.

Two hundred and six cases were settled by mediation agreements—165 of these on railroads, 41 on the airlines. Three arbitration agreements were completed, all in railroad cases. The parties withdrew their application for the services of the Board either before or during mediation in 56 cases. The Board dismissed 24 cases. In 35 cases either the carrier or employees, or both, refused to arbitrate the issue in controversy.

The major issue, as indicated in table 2, involved in 142 cases related to rates of pay, 97 cases were on railroads contrasted with 45 cases on this issue in the airline industry. Well over 50 percent of these cases were settled by mediation agreements, 56 railroad cases and 33 airline cases being settled by this method.

Issues relating to rules predominated in the railroad industry as 75 cases involved that issue contrasted with 7 cases in the airline industry. Eight cases involved new agreements for railroads, four on airlines. Three cases were disposed of by arbitration agreements, all in the railroad industry. Eighty-eight cases involving miscellaneous items were disposed of, only eight of these were in the airline industry.

5. ELECTIONS AND CERTIFICATION OF REPRESENTATIVES

The National Mediation Board investigates representation disputes pursuant to the authority granted by section 2, Ninth, of the Railway Labor Act. This section of the act requires the Board to certify to the carrier the designated representative of the employees. Congress recognized the desirability of prompt disposition of representation disputes when it included in this section of the act provisions requiring the Board to investigate such disputes and issue certifications within 30 days after the receipt of applications for its services. Although the courts have held this requirement to be directory rather than mandatory, the Board strives to investigate such disputes as promptly as practicable in the interest of promoting stable labor relations.

During the past fiscal year the Board docketed 108 new representation cases. These added to the 27 on hand at the close of the previous fiscal year made a total of 135 cases considered during the period covered by this report. At the end of the fiscal year only 18 cases were pending. Ninety-four of the 117 cases handled were disposed of by certification of a representative of the employees to the carrier. Sixteen cases were withdrawn by the applicant organization and in seven cases the Board dismissed the organization's application. Dismissals are generally issued by the Board in those cases where the investigation on the property indicates that the applicant organization does not have sufficient authorizations to meet the requirements of the Board or where less than a majority of those eligible cast valid ballots in an election.

Railroads were involved in 98 of the cases disposed of by the Board. Certifications were issued in 80 cases involving 12,479 employees working in 101 crafts or classes.

In the airline industry 14 certifications were issued in 19 of the cases handled by the Board. These certifications covered 1,107 employees working in 19 crafts or classes.

Four hundred and fifty-six employees in the railroad industry acquired representation; while 12,023 employees in that industry were involved in representation disputes involving a challenge to existing representation. It is interesting to note that although the representation was changed in 41 crafts or classes only 1,890 employees were involved. On the other hand, representation was not changed as a result of the Board's investigation in 30 crafts or classes involving 10,133 employees.

In the airline industry 462 employees acquired representation rights. These employees were employed in 13 crafts or classes. Representation was changed for 4 crafts or classes involving 607 employees, while for 38 employees in 2 crafts or classes representation remained unchanged.

III. MEDIATION DISPUTES

Section 5, First of the Railway Labor Act permits either party, carrier or labor organization, or both, to invoke the services of the National Mediation Board in disputes arising between carriers and their employees on questions involving changes in rates of pay, rules, and working conditions. This section of the act also permits the Board to proffer its services in case any labor emergency is found to exist at any time.

Experience has shown that agreements made between the carrier and labor organizations on a voluntary basis during the course of mediation creates an atmosphere of respect and understanding between the parties which is helpful in the day-to-day application of the agreement. Mediation agreements frequently are reached after suggestions have been advanced by the mediator which may preserve the basic position of the parties. A voluntary agreement reached in mediation implies that both sides have receded from their original position taken at the start of the controversy and on the basis of a better understanding of the issues involved a successful meeting of mind has been achieved.

Often, issues arise which neither party feels they are able to compromise. In such a situation, the Board is required under the law to urge and request the parties to submit the issue to arbitration. The alternative to arbitration is a test of economic strength between the parties. A considered appraisal of the immediate and long range effects of such a test, which eventually must be settled, indicates that arbitration is by far the preferable solution. There are few, if any, issues which cannot be arbitrated if that course becomes necessary. More use should be made of the voluntary arbitration procedure under the Railway Labor Act to settle disputes which cannot be composed in mediation.

1. Problems in Mediation

The Railway Labor Act contemplates that representatives of carriers and employees will fulfill their obligation to exert every reasonable effort to make and maintain agreements. This obligation imposes the duty upon both parties to meet promptly in conference in an effort to dispose of disputes effecting rules, wages and working conditions.

The nonobservance of this duty placed by the law on both the carrier and the employees creates a problem in mediation. In some instances prior to invoking the services of the Board, the parties have only met in brief session and have not made a full examination of the issues involved much less a real effort to resolve the dispute. Naturally, where mediation is undertaken without thorough consideration of the issues in previous direct negotiations, more of the mediator's time is consumed in effecting a settlement. Under such circumstances, the parties do not have a thorough knowledge of the

issues in controversy, or the views of the other party. Time is spent in developing the basic position of the parties which could be better used in effecting a settlement. This problem arises chiefly in disputes involving a considerable number of issues such as a general revision of a rules agreement. In such cases mediation should be reserved for disposal of the fundamental items that cannot be settled by the parties directly.

As in previous reports, the Board again finds it necessary to call attention to the failure to utilize the provisions of section 3 of the act to resolve disputes involving the application or interpretation of agreement rules and grievances arising thereunder. In November 1955 the Board inaugurated a program of assigning an "E" number series to cases where the Board's mediation services were proffered under the emergency clause of section 5 of the Railway Labor Act. In many instances, these emergency situations involved strike dockets containing time claims and grievances which should have been referred to the National Railroad Adjustment Board for adjudication. In resolving such disputes the efforts of the mediator are directed towards securing an agreement between the parties to submit such claim dockets to special boards of adjustment for hearing and decision. During the past fiscal year approximately 3,900 cases were disposed of by such boards. The Board stands ready to assist the parties in making arrangements to dispose of disputes involving time claims and grievances without the necessity of first having the parties create an emergency situation. It is noted that in a few instances during the past year, arrangements of this nature were made without the mediation services of the Board. Such a practice is highly commendable.

IV. REPRESENTATION DISPUTES

The Railway Labor Act states that: "It shall be the duty of all carriers, their officers, agents, and employees to exert every reasonable effort to make and maintain agreements." In order to achieve the purpose of making and maintaining mutually satisfactory labor agreements, it is fundamental that representatives must be chosen freely by the employees. The act provides a procedure by which disputes, among employees as to who is their duly authorized representative for collective bargaining purposes, can be resolved by majority rule. The act requires the Board to investigate representation disputes in such a manner as shall insure the choice of representatives by the employees without interference, influence, or coercion exercised by the carrier.

The Board's rules and regulations require applications for its services in a representation dispute to be supported by a presentation of authorizations from the employees involved. The authorizations serve as prima facie evidence of a dispute prior to accepting the application for investigation. Where the Board has issued a certification covering a craft or class of employees, a new application to investigate a representation dispute will not be accepted for a period of 2 years. The rule of the Board in this matter follows from the law which imposes upon the carrier and employees the duty of exerting every reasonable effort to make and maintain agreements concerning rates of pay, rules, and working conditions and to settle promptly all disputes, whether arising out of the application of such agreements or otherwise. Clearly, if the representation issue is raised too frequently, this basic principle of the law cannot be realized.

1. PROBLEMS INVOLVED IN REPRESENTATION DISPUTES

The Board when investigating representation disputes endeavors to have the contesting parties or organizations agree on the employees eligible to participate in the selection of representatives. When the parties are unable to agree, the Board will upon written application of either party if the subject warrants, hold a public hearing, at which all parties interested may present their contentions and arguments, and to which the carrier concerned is usually invited to present factual information.

Following is a brief summary of the decisions rendered by the Board in cases involving unusual problems:

Case No. R-2913, In the matter of representation of employees of the Erie Railroad Co., Findings Upon Investigation, issued July 19, 1955.

This case was docketed on the basis of an application filed by the Order of Railway Conductors and Brakemen to investigate a representation dispute among (1) road conductors, and (2) road brakemen, employees of the Erie Railroad Co. At the time of application, these employees were represented by the Brotherhood of Railroad Trainmen.

During the preliminary investigation of this dispute, the contesting organizations disagreed regarding the use of a "cut-off date" for the purpose of establishing a list of employees eligible to participate in

the dispute. The Order of Railway Conductors and Brakemen contended that the so-called cut-off date used in an election automatically establishes and limits the eligibility of employees to vote in an election to those in the service of the carrier on that date and that any persons employed in a craft or class after the cut-off date are not eligible to vote.

The Brotherhood of Railroad Trainmen took the position that the cut-off date is for the sole purpose of fixing the end of the period used for checking the preponderance of service and classifying the employees in the respective craft or class of road conductor or road brakemen.

The organization contended that men on furlough or leave of absence during the checking period were eligible to vote and that to permit such employees to vote and not new employees who are working in the craft or class at the time of the election denies such new employees the right to protect their vested interests by voting in the election.

The issue in this case, as was developed in the hearing was confined to the question of the eligibility of new employees, entering the service of the carrier after the close of the "checking period," to participate in the election. The Brotherhood of Railroad Trainmen argued that all new employees in the craft or class hired between the last date of the "checking period" and the last day of the balloting should be added to the list of eligible voters.

The Order of Railway Conductors and Brakemen took the position that to adopt the procedure advocated by the Brotherhood of Railroad Trainmen would create such a chaotic situation that it would be impossible to determine who could participate in the election until after the election was completed.

Several labor organizations submitted their views in regard to the issue involved in this case. The majority of those organizations supported the contention that an orderly procedure demands that those who are eligible to participate in a representation dispute must be known before the election starts.

The Board in this case ruled all men newly employed on or after the cut-off date would not be eligible to vote in the election.

Case No. R-3035, In the matter of representation of employees of the Kansas, Oklahoma and Gulf Railway Co., Findings Upon Investigation, issued June 29, 1956.

The Brotherhood of Locomotive Engineers invoked the services of the Board in this case to investigate a representation dispute among locomotive engineers, employees of the Kansas, Oklahoma and Gulf Railway Co. At the time of application, these employees were represented by the Brotherhood of Firemen and Enginemen.

The main issue in this case involved the right of four locomotive engineers over 70 years of age, to participate in the election conducted in connection with this case.

The agreement in effect at the time of the investigation between the carrier and the Brotherhood of Locomotive Firemen and Enginemen provided for the retirement of engineers on reaching their 70th year. This agreement was in effect prior to the date of the investigation, and would have compelled the retirement of the four locomotive engineers on or about October 31, 1954. Prior to that date, however, an action was instituted in the United States district court to test the validity of such an agreement. A restraining order had been issued

by the court preventing the carrier and the Brotherhood of Locomotive Engineers from taking any steps to remove the employees affected by this agreement from service.

At the time of the Board's hearing, the litigation in this case had progressed to the state where a petition for a writ of certiorari was pending before the Supreme Court of the United States to review the decision of the lower court which had found the agreement valid. Before the Board's decision was issued the Supreme Court denied the petition for a writ of certiorari (*McMullan v. Kansas, Oklahoma and Gulf*, No. 759, October term, 1955).

The Brotherhood of Locomotive Firemen and Enginemen in the case contended not only should the four engineers over 70 years of age be declared ineligible to participate in this dispute, but also that four qualified engineers working as firemen at the time of the election should be eligible to vote in the election on the theory that except for the above-mentioned litigation, these firemen would have been working as engineers.

The Brotherhood of Locomotive Engineers contended that the four engineers over 70 years of age, despite the outcome of the litigation as to the validity of the retirement rule, should be declared eligible as they held regular assignments as locomotive engineers on March 15, 1956, in accordance with the requirements of eligibility as stated in the Board's notice of election.

The Board in its Findings pointed out that this was not a case of first impression. In a previous case (R-2927, in the matter of representation of road conductors, employees of the Clinchfield Railroad), the Board was faced with a similar problem. In that case, the contending organization was advised administratively, that is to say without formal decision, that if it persisted in its position, that the employees involved in the litigation should be permitted to vote, the Board would have no alternative but to defer the count of ballots until such time as a final adjudication was made by the courts. The Board concluded in that case that the issue of eligibility of the employees had been placed in the hands of another tribunal and by reason of a temporary restraining order issued by the court without a finding as to their employment status, the Board was not at liberty to rule on the question. The organization had its option, the Board pointed out, to await the outcome of the litigation or to proceed with the count of ballots eliminating the employees whose eligibility was undetermined. In that case the contending organization chose the latter course.

In this case, the Board pointed out that the issue of the eligibility of the locomotive engineers over 70 years of age had been taken to another tribunal. The judicial process had been completed and it had been found that the severance of employment pursuant to the agreement would have been proper. Accordingly, the Board could find no basis for declaring the locomotive engineers in question eligible.

The Board also stated that the above ruling did not carry with it the adoption of the Brotherhood of Locomotive Firemen and Enginemen's position that the four qualified engineers working as firemen at the time of the election should be eligible. The Board pointed out that while they might have been working as engineers, it could not reach into the realm of speculation to support a finding of eligibility as it was obvious that various sets of circumstances could have developed which would have eliminated these firemen from consideration in this dispute.

V. ARBITRATION AND EMERGENCY BOARDS

1. ARBITRATION BOARDS

Under the provisions of section 5 of the act, if the efforts of the Board to effect an amicable settlement of a dispute through mediation are unsuccessful, it is required to endeavor to induce the parties to submit the controversy to arbitration.

Arbitration is one of the important procedures provided by the act for the peaceful solution of disputes. Awards of such Boards are final and binding on the parties involved.

While there is no legal compulsion in the act on the parties to submit a dispute to arbitration, the spirit and intent of the law implies an obligation on the parties to submit controversies to arbitration under the act. There is also included in the following listing, two other cases where the parties after agreeing to arbitrate, reached a settlement disposing of the controversies, thus making it unnecessary to convene an arbitration board. The awards are summarized below:

to exert every reasonable effort to make and maintain agreements, concerning rates of pay, rules and working conditions * * *

During the fiscal year 1956, seven awards were rendered on disputes submitted to arbitration. Five of these covered issues remaining unresolved after mediation. The other two resulted from agreements between the parties to submit controversies to arbitration under the act. There is also included in the following listing, two other cases where the parties after agreeing to arbitrate, reached a settlement disposing of the controversies, thus making it unnecessary to convene an arbitration board. The awards are summarized below:

ARB. 202 (CASE A-4346).—*Kansas City Terminal Railway Company and Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees.*

The dispute involved request of the organization for allowance of weekly rest days for certain employees in certain offices of officials and other departments of carrier, and allowance for equal time off when rest days are worked.

On May 7, 1956, the Board received a communication from the president of the organization advising that the issues involved had been composed by an agreement between the parties. Consequently, it was unnecessary to convene a Board of Arbitration.

ARB. 206 (CASE NO. A-4727).—*Northwest Airlines, Inc., and the Air Line Dispatchers Association.*

Members of the Arbitration Board were Arnold R. Erickson representing the carrier; Henry G. Andrews, representing the association; and John Thad Scott, Jr., neutral member, named by the National Mediation Board. Mr. Scott was selected chairman of the Board.

Hearings began July 19, 1955, and the award was rendered August 18, 1955.

Three questions were submitted to the Board, covering wage scale, effective date, and duration of agreement.

The Board awarded the following pay scale, effective January 1, 1955 with duration date until September 1, 1956:

Assistant flight dispatchers shall be paid minimum monthly salaries as follows:

Effective Jan. 1, 1955

1st 6 months.....	\$350	4th 6 months.....	425
2d 6 months.....	375	3d year.....	450
3d 6 months.....	400	4th year.....	475

Flight dispatchers shall be paid minimum monthly salaries as follows:

Effective Jan. 1, 1955

1st 6 months.....	\$500	5th year.....	625
2d 6 months.....	525	6th year.....	650
2d year.....	550	7th year.....	675
3d year.....	575	8th year.....	700
4th year.....	600	9th year.....	725

Effective July 1, 1955

10th year of service and thereafter.....	750
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The party arbitrator representing the association filed a dissent.

ARB. 207 (CASE No. A-4861).—*Pacific Northwest Airlines, Inc., and Air Carriers Mechanics Association, International.*

On August 12, 1955, the parties entered into agreement to submit to arbitration the request of the association for a union-shop and check-off agreement.

On February 7, 1956, the Board received communication from the president of the association advising that the issues involved had been satisfactorily resolved by agreement between the parties.

Consequently it was unnecessary to convene a Board of Arbitration.

ARB. 208 (CASE No. A-4683).—*The Colorado & Wyoming Railway Company and the Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express and Station Employees.*

Members of the Arbitration Board were A. A. Blazina representing the carrier; William J. Donlon, representing the Brotherhood; and J. Glenn Donaldson, neutral member named by the National Mediation Board. Mr. Donaldson was selected chairman of the Board.

Hearings began January 30, 1956, and the award was rendered February 20, 1956.

Two questions were submitted to the Board:

(1) Change and increasing existing rates of pay 25 cents per hour.

(2) Establish shift differentials 6 cents and 9 cents per hour for afternoon and night shifts respectively.

The agreement to arbitrate contained a stipulation confining the Board in its award to either grant the requests in their entirety or to deny same.

In this case the organization sought what it termed a "wage adjustment" as distinguished from a "wage increase" resulting from national movements. In support of the requests for "wage adjustment," the organization contended inequities existed between rates of pay of the employees represented on the basis of comparison of rates paid employees performing similar work in the steel plant serviced by the carrier and also in comparison with the rates of pay of employees in other crafts or classes on the carrier involved.

The Board, in its Award, denied the requests in their entirety.

ARB. 209 (CASE A-4956).—*Pan American World Airways, Inc., and Transport Workers Union of America, CIO.*

Members of the Arbitration Board were W. O. Snyder, representing the carrier; William Grogan, representing the union; and Theodore W. Kheel, neutral member named by the parties. Mr. Kheel was selected chairman of the Board.

Hearings began September 26, 1955, and the Award was rendered October 24, 1955.

The questions submitted and the award of the Board were as follows:

1. What shall be the rates of pay for mechanics and ground service employees and port stewards and senior port stewards?

Award: 11 cents per hour increase.

2. (a) Shall the pay formula for flight service personnel be based on a monthly concept (in no event less than 70 hours)?

Award: monthly concept.

(b) In event the Board makes any change in the pay formula to a monthly concept, what shall be the breakpoint thereof?

Award: The breakpoint shall be 75 hours per month, and for those hours that exceed 75 per month the rate of \$3.75 per hour shall apply, except that for those hours in excess of 255 per quarter, the premium rate specified in the contract shall apply. In no event, however, shall any flight service employees receive less pay for any quarter than he would have received under the previous breakpoint of 210 hours per quarter.

3. What shall be the effective date and duration of the three agreements covering the employees involved?

Award: September 1, 1955, to October 1, 1957.

ARB. 210 (CASE A-4793).—*Northwest Airlines, Inc., and Air Line Communication Employees Association, Unaffiliated.*

Members of the Arbitration Board were Robert A. Ebert representing the carrier; Mil Senior, representing the association; and Paul N. Guthrie, neutral member named by the National Mediation Board.

Mr. Guthrie was selected chairman of the Board.

Hearings began March 21, 1956, and the award was rendered April 21, 1956.

Three questions were submitted to the Board involving (1) request for wage increase, (2) increase in shift premium, (3) effective date and duration.

The Board awarded:

(1) An increase in monthly rates of pay of radio operators of \$32.50 (\$10 per month effective January 1, 1955, and \$22.50 per month effective April 1, 1956) and also for teletype operators an increase of \$26.25 per month (\$8.50 per month effective January 1, 1955, and \$17.75 effective April 1, 1956).

(2) Increase in shift premium to 7 cents and 12 cents for the afternoon and evening shifts, respectively, effective as of the date of the beginning of the next pay period following date of award.

(3) Duration of award: July 1, 1957.

The party arbitrator representing the carrier dissented.

ARB. 211 (CASE A-4943).—*Chicago and Western Indiana Railroad Company and Brotherhood of Railroad Trainmen.*

Members of the Arbitration Board were John C. Sidor, representing the carrier; W. J. Mulligan, representing the Brotherhood; and David R. Douglass, neutral member named by the National Mediation Board.

Mr. Douglass was selected chairman of the Board. Hearings began April 27, 1956, and the award was rendered May 11, 1956.

Two questions were submitted to the Board.

(1) Whether an exchange of letters between general superintendent of the carrier and general chairman of the Brotherhood had the effect of relieving certain switchtenders from the duty of handling certain traffic by telephone.

(2) Did the operation of a Budd unit by another carrier into and out of a certain station on several different dates, violate article 3 of the agreement between the carrier and Brotherhood.

In its award, both questions submitted to the Board were answered in the negative.

ARB. 212 (CASE NO. NONE).—*New York Central Railroad Company and Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.*

Members of the Arbitration Board were L. W. Horning, representing the carrier; George M. Harrison, representing the Brotherhood; and David L. Cole, neutral member named by the parties. Mr. Cole was selected chairman of the Board.

Hearings began May 3, 1956, and the award was rendered June 4, 1956.

One question was submitted to the Board, as follows:

Did the carrier have the right to establish a 5-day staggered workweek including Sunday as a regularly assigned workday, at the freight transfer stations in Utica, Syracuse, and Buffalo, N. Y., Cleveland, Ohio, Detroit, Mich., and Gibson, Ind., under the so-called 40-hour-week agreement, in effect between the parties.

The question was answered in the negative by the majority.

The party arbitrator representing the carrier filed a lengthy dissenting opinion to the award of the majority. The carrier subsequently requested an interpretation of the award.

ARB. 213 (CASE A-5131).—*Eastern Air Lines, Inc., and Air Line Dispatchers Association, AFL-CIO.*

Members of the Arbitration Board were R. J. Litteer, representing the carrier; Stanley Kent, representing the association; and Frank P. Douglass, neutral member named by the National Mediation Board.

Mr. Douglass was selected chairman of the Board.

Hearings began May 15, 1956, and the award was rendered May 21, 1956.

The question submitted to arbitration in this case related to establishing the seniority standing of former Colonial Airline dispatchers and junior dispatchers on composite seniority rosters of "Dispatchers," and "Dispatchers' Assistant" of Eastern Air Lines, Inc. (the former dispatcher employees of Colonial having become employees of Eastern through merger of the two companies).

Under the Award rendered by the Board, two separate composite seniority rosters were established including the dispatcher employees of both companies, and the seniority standing of the former Colonial dispatcher employees was determined by ratio formulae devised by the Board.

2. EMERGENCY BOARDS—SECTION 10, RAILWAY LABOR ACT

Under the provisions of Section 10 of the Railway Labor Act, if a dispute between a carrier and its employees is not adjusted through

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

Reports made by five emergency boards, created by the President during the fiscal year ended June 30, 1956, are summarized below:

CASE A-4854, EMERGENCY BOARD NO. 110.—*Carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committee and certain of their employees represented by the Brotherhood of Locomotive Firemen and Enginemen.*

The emergency board created under the President's Executive order, dated June 17, 1955, was composed of Curtis G. Shake, Vincennes, Ind. (Chairman), Martin P. Catherwood, Ithaca, N. Y., and G. Allan Dash, Jr., Philadelphia, Pa.

Hearings were conducted in Chicago, Ill., beginning June 21, 1955. The report to the President was issued July 30, 1955, the original date for submission of the report having been extended by agreement between the parties and with the approval of the National Mediation Board and the President.

The dispute involved:

- (1) Request of employees represented by the organization to change existing agreement in connection with conversion to a 40-hour week basis, to provide a wage increase of 32 cents per hour or \$2.56 per basic day.

- (2) Request for minimum daily earnings guarantee for engine service employees in passenger and freight service of \$20 for engineers and \$18 for firemen or helpers.

- (3) Proposal of carriers involved for five substantive changes in contract rules.

The report of the Board to the President contained recommendations for the solution of the dispute as outlined below:

1. That the parties proceed through the processes of collective bargaining to agree on the details necessary to replace the present 4-cent conversion factor with a new conversion adjustment in accord with the following:

- (a) New conversion adjustment to be determined by first applying 20 percent to the basic daily rates in effect in September 1948, dividing the result by 8 and then deducting 14½ cents per hour.

(b) New conversion adjustment to be effective only for the crafts for the members of which the organization accepts complete conversion.

(c) New conversion adjustment for the crafts accepting conversion to also be applicable to those members of the crafts who have already converted.

2. With respect to the minimum daily guarantee request of the organization, the Board recommended that it be withdrawn.

3. The Board also recommended that the proposal of the carrier for changes in working rules involved in these proceedings should be subject to further negotiations between the parties, and if agreement is not reached, the controversies should be submitted to arbitration under the procedures prescribed by the Railway Labor Act.

CASES A-4779, A-4860, EMERGENCY BOARD NO. 111.—*Railway Express Agency, Inc., and International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL.*

The emergency board created under the President's Executive order dated July 1, 1955, was composed of Robert G. Simmons, Lincoln, Nebr. (Chairman), Benjamin C. Roberts, New York, N. Y., and Morrison Handsaker, Easton, Pa.

Hearings were conducted in New York City, N. Y., beginning July 11, 1955. The report to the President was issued August 1, 1955.

The dispute involved separate requests for wage increases and rules changes (1) for certain employees under the jurisdiction of local unions 459 and 808 of the Metropolitan area of New York City, (2) by the international union for certain employees under its jurisdiction in the cities of Chicago, Ill.; Cincinnati, Ohio; Cleveland, Ohio; Newark, N. J.; Philadelphia, Pa.; St. Louis, Mo.; and San Francisco, Calif.

In its report to the President the Board recommended:

1. An increase of 11¢ per hour to employees represented by Locals 459 and 808.

2. An increase of 8¢ per hour to employees represented by the International Union, and establishment of a health and welfare plan (estimated cost to the Agency of 3¢ per hour per employee) for these employees similar to the plan now in effect for Locals 459 and 808.

The Board also recommended that both health and welfare plans be jointly administered under the supervision of a board of trustees and outlined the method of selection of such trustees.

On the other rules proposals of the locals and international union, and also on the agency's proposal for rules changes in its contract with locals 459 and 808, the Board recommended withdrawal by the parties.

For reasons set forth in the report, Chairman Simmons limited his recommendations to an 8 cents per hour increase to both locals 459 and 808 and the international union.

CASE A-4712, EMERGENCY BOARD NO. 112.—*New York Central System, Lines East, and certain of its employees represented by the Order of Railway Conductors and Brakemen.*

The emergency board created under the President's Executive order, dated August 13, 1955, was composed of Mortimer Stone, Denver, Colo. (Chairman), Arthur Stark, New York, N. Y., and Dudley E. Whiting, Detroit, Mich.

Hearings were conducted in New York City, N. Y., beginning

August 23, 1955. The report to the President was issued September 14, 1955.

The dispute involved request of the organization to change six working rules of its contract with carrier.

The most important issue concerned the proposal to change the conductor's basic day in short-turn-around passenger service to 100 miles instead of 150 miles and to substitute 6 hours work within 8 hours spread of assignment in place of 8 hours work within 9 hours spread of assignment before beginning of overtime.

The organization contended its proposal was designed principally to increase earnings of conductors receiving minimum daily pay. The Board, however, concluded that the nature of the proposal would not accomplish the desired result, but would, if granted, further widen the earnings disparity, which was the source of complaint; that the existing rule is national in scope (identical or comparable to the same rule on other carriers) and constitutes an important factor in the pay relationship of conductors and other operating crafts, relationships which have had long acceptance and that to change the rule for these employees only would result in a feeling of inequity on the part of other groups and lead to demands for restoration of the historical differentials.

The Board recommended that the proposal be withdrawn and that the organization negotiate with carrier to raise the minimum daily earnings guarantee of conductors in short-turn-around passenger service.

On the other rules proposals involved, i. e., traveling (road) switcher service, guarantees (to apply to certain classes of freight services), conversion rule, deadheading, and switching trains and coupling hose, the Board recommended that the organization withdraw the specific proposals and negotiate with carrier for solution of the problems along the lines suggested in the Board's report.

CASES A-4717, A-4867, EMERGENCY BOARD NO. 113.—*Pennsylvania Railroad Company and certain of its employees represented by the Transport Workers Union of America, CIO-Railroad Division.*

The emergency board created under the President's Executive order, dated September 1, 1955, was composed of Howard A. Johnson, Butte, Mont. (Chairman), Walter R. Johnson, Washington, D. C., and Mart J. O'Malley, Huntington, Ind.

Hearings were conducted in Philadelphia, Pa., beginning September 29, 1955. The report to the President was issued October 26, 1955.

The dispute involved request of the organization for paid holidays, a health and welfare plan, and a graded work classification for work to be performed on diesel locomotives by boilermakers.

In its report the Board recommended straight-time pay for seven designated holidays when such holidays fall on an employee's workday, provided compensation is credited to such employee for workdays immediately preceding and following such holiday; that when a holiday falls on a Sunday, the following Monday be recognized as the holiday; that when a holiday falls within the vacation period, the employee should not receive pay for such holiday; that the parties retain existing provision of agreement for time-and-a-half pay for holidays worked, so that such pay would be in addition to the recommended straight-time pay for holidays.

On the health and welfare issue, the Board recommended that the parties adopt a health and welfare program in line (as to benefits and

cost to employees) with such program in effect on practically all class 1 railroads for nonoperating employees, including some on the Pennsylvania Railroad.

On the issue of a "graded work classification" the Board recommended the negotiation of a rule by the parties to provide in general, that work on sheet metal of 13 gage and heavier be done by boiler-makers and on sheet metal of less than 13 gage, by sheet metal workers, with provisos to avoid conflict with agreements in effect between carrier and other unions.

CASE A-4985, EMERGENCY BOARD NO. 114.—*Albany Port District Railroad and other carriers represented by the Eastern, Western and Southeastern Carriers Conference Committees and certain of their employees represented by the Cooperating (nonoperating) Railway Labor Organizations.*

The emergency board created under the President's Executive order, dated November 7, 1955, was composed of Dudley E. Whiting, Detroit, Mich. (Chairman), G. Allan Dash, Jr., Philadelphia, Pa., and John Larkin, Chicago, Ill.

Hearings were conducted in Chicago, Ill., beginning November 9, 1955. The report to the President was issued December 12, 1955, the original date for submission of the report having been extended by agreement between the parties and with the approval of the National Mediation Board and the President.

The dispute involved requests of organizations representing practically all of the nonoperating employees on the principal carriers of the country.

(1) Request of April 2, 1955, served by 12 organizations to modify provisions of a memorandum of August 21, 1954, to require the carriers to pay the full cost (up to \$6.80 per month per employee) of hospital, medical, and surgical insurance protection, which cost is now borne equally by employees and employer railroads.

(2) Request of August 1, 1955, served by 11 organizations for an increase of 25 cents per hour in all existing rates of pay.

In its report to the President, the Board recommended an across-the-board increase of 14½ cents per hour, effective December 1, 1955, to all employees except those represented by the Hotel and Restaurant Employees and Bartenders International Union.

The Board also recommended that the carriers assume and pay the full cost (up to \$6.80) per month per employee, effective March 1, 1956, of the health and welfare plan.

For the employees represented by the Hotel and Restaurant Employees and Bartenders International Union (involved only in the wage increase request in these proceedings) the Board recommended an across-the-board wage increase of 13½ cents per hour, except that if these employees should pursue, pending notices for carrier financed health and welfare benefits, to agreement, 4 cents per hour of such increase shall be automatically converted for payment thereof.

The different recommendation applying to employees represented by the latter organization was intended to make adjustment for a previous wage and rule settlement by the organization similar to the 1953 operating employees' "pattern" settlement.

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.

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 National 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 also be filed with this Board.

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

Table 10 shows the number of agreements subdivided by class of carrier and type of labor organization which have been filed with the Board during the 22-year period 1935-1956. During the last fiscal year 10 additional new agreements were filed with the Board. All but two of these were in the railroad industry. Class III railroads accounted for five of these agreements. All of these new agreements were made with labor organizations classified as national. There were no new agreements made with local unions or system associations filed during the past fiscal year with the Board.

In addition to the new agreements indicated above the Board received 2,025 revisions and supplements to the agreements previously filed with the Board.

In previous years the Board in its annual report showed a series of tables designed to show the extent to which employees in the industries covered by the Railway Labor Act had availed themselves of their right to be represented by labor organizations. Analysis of these tables for the past few years indicates that by far the majority of employees in the industries are represented by a labor organization. In view of this widespread acceptance of labor organizations by employees to act on their behalf, tables of this nature have been omitted from this report.

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 those two types of agreements occasionally leads to differences between those who are parties to them.

1. NATIONAL RAILROAD ADJUSTMENT BOARD

Under the 1934 amendment to the Railway Labor Act, the National Railroad Adjustment Board was created to hear and decide disputes involving railway employee grievances and questions concerning the application and interpretation of agreement rules.

The Adjustment Board is composed of four divisions on which the carriers and the organizations representing the employees are equally represented. The jurisdiction of each division is described in section 3, First, paragraph (b) of the act. The law establishes the headquarters of the Adjustment Board at Chicago, Ill.

The Board is composed of 36 members, 18 representing, chosen, and compensated by the carriers and 18 by the so-called standard railway labor organizations. The First, Second, and Third Divisions are composed of 10 members each equally divided between representatives of labor and management. The Fourth Division has six members also so divided.

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 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.

Lists of all persons serving as referees on the four divisions of the Adjustment Board are shown in appendix A.

During the 22 years the Adjustment Board has been in existence, the First Division has received a total of 33,833 cases, and has disposed of 30,875. At the close of the fiscal year 1956, the First Division had on hand an unadjusted 2,958 cases, which was a decrease of 56 cases of the 3,014 on hand at the close of the previous year. Reference to table 9 in this report shows that a total of 476 cases were disposed of by the Division during the fiscal year 1956 by decision, and that 360 were withdrawn. The corresponding figures for fiscal 1955 were 391 cases decided and 339 withdrawn. New cases received during fiscal 1956 numbered 780 compared with 946 in fiscal 1955. These reductions noted in new cases received in 1956, as well as the cases withdrawn, show the increasing trend to disposing of large dockets of grievance cases on the individual properties by special boards of adjustment.

During the fiscal year ending June 30, 1956, 42 special adjustment boards had been set up on the rail carriers which handled and disposed of approximately 3,900 cases. These cases normally would have been presented to the First Division of the Adjustment Board. At the close of the fiscal year, 37 special adjustment boards had been set up by agreement to handle and decide pending cases, and still others were under consideration by various carriers and the operating organizations.

As indicated by the tabulation shown in table 9, the Second, Third, and Fourth Divisions of the Adjustment Board have received a much smaller volume of cases than the First Division, and those Divisions have been able to keep up with their dockets without difficulty.

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 upon request 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.

A list of all persons designated by the National Mediation Board to serve as referees with system Boards of Adjustment is shown in appendix B.

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 1956, the Board was called upon to interpret the terms of 13 mediation agreements which added to the 1 request on hand at the beginning of the fiscal year made a total of 14 under consideration. At the conclusion of the fiscal year 7 requests had been disposed of while 7 requests were pending. Since the passage of the 1934 amendment to the act, the Board has disposed of 43 cases under the provisions of section 5, Second, of the Railway Labor Act as compared to a total of 2,838 mediation agreements completed during the same period.

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 Department of the Interior Building, 18th and E 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 executive 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
A. Alfred Della Corte
Chas. M. Dulen
Clarence G. Eddy
Lawrence Farmer
Arthur J. Glover
Edward F. Hampton
Raymond R. Hawkins
James M. Holaren
Matthew E. Kearney
Warren S. Lane
Albert L. Lohm

Geo. S. MacSwan
Wm. F. Mitchell, Jr.
J. Earl Newlin
Michael J. O'Connell
Alexander D. Penfold
C. Robert Roadley
Wallace G. Rupp
Tedford E. Schoonover
H. Albert Smith
Frank K. Switzer
Thomas A. Tracy
Charles F. Wahl

2. FINANCIAL STATEMENT

Accounting of all moneys appropriated by Congress for the fiscal year 1956, 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.....	\$460, 000
Arbitration and emergency boards.....	250, 000
Total appropriations.....	<u>710, 000</u>
Obligations:	
Salaries, National Mediation Board.....	326, 510
Travel expenses.....	113, 086
Other expenses.....	20, 404
Total operating expenses.....	<u>460, 000</u>
Expenses, arbitration and emergency boards.....	205, 494
Grand total.....	<u>665, 494</u>
Unobligated balances:	
Salaries and expenses.....	---
Arbitration and emergency boards.....	44, 506
Total unobligated.....	<u>44, 506</u>

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

APPENDIX A

NATIONAL RAILROAD ADJUSTMENT BOARD

(Created June 21, 1934)

FERN, B. W., *Chairman*

HAGERMAN, H. K., *Vice Chairman*

ANDERSON, J. A.	JOHNSON, R. P.
BARNES, C. R.	KEALEY, C. W.
BLAKE, R. W.	KEMP, J. E.
BORDWELL, H. V.	LOSEY, T. E.
BURTNESS, H. W.	MCDANIELS, C. E.
BUTLER, R. M.	MILLER, D. A.
CARTER, P. C.	MULLEN, J. F. ³
CASTLE, W. H.	ORNDORFF, GERALD
CONWAY, C. A.	REESER, H. J.
COUTTS, R. C.	RYAN, W. J.
DUGAN, C. P.	SMITH, V. W.
DUGAN, G. H.	SOMERLOTT, M. E.
FITCHER, E. H. ¹	SYLVESTER, J. H.
GOODLIN, C. E.	TAHNEY, J. P.
HICKS, D. H.	WHITEHOUSE, J. W.
HINKS, J. K.	WIESNER, E. W.
HORSLEY, E. T. ²	WRIGHT, GEORGE

STATEMENT

On June 21, 1934, by enactment of Public, No. 442, 73d 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.

Accounting of all moneys appropriated by Congress for the fiscal year 1956, 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.....	\$502, 000
Amount available for obligation.....	502, 000
Expenditures:	
Salaries of employees.....	\$249, 233
Salaries of referees.....	114, 619
Travel expenses (including referees).....	20, 786
Transportation of things.....	81
Communication services.....	8, 228
Printing and reproduction.....	48, 439
Other contractual services.....	2, 863
Supplies and materials.....	6, 162
Equipment.....	5, 564
Total expenditures.....	455, 975
Unexpended balance.....	46, 025

¹ Vice T. F. Purcell, retired.

² Assigned to First Division, vice L. B. Fee.

³ Replaced E. T. Horsley on Third Division.

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

Name	Title	Salary paid	Duties
Howard, Leland.....	Administrative officer.....	\$8, 894. 10	Subject to direction of Board, administers its governmental affairs.
Dillon, Mary E.....	Secretary.....	5, 235. 57	Secretarial, stenographic, accounting, and auditing.
Larson, George.....	Clerk.....	3, 557. 67	Clerical.

FIRST DIVISION

MacLeod, J. M.....	Executive secretary.....	\$8, 354. 08	Administration of affairs of division and subject to its direction.
Pope, Patrick V.....	Assistant executive secretary.....	5, 846. 26	Assists executive secretary.
Fostof, Evelyn F.....	Secretary.....	5, 100. 12	Secretarial, stenographic, and clerical.
Smith, Margaret J.....	do.....	5, 100. 12	Do.
Blee, Ruth W.....	do.....	4, 964. 64	Do.
Ellwanger, Dorothy M.....	do.....	4, 964. 64	Do.
Schroeter, Marie A.....	do.....	4, 828. 95	Do.
Pinnegan, Marian.....	do.....	4, 693. 46	Do.
Lewandowski, Jeanette.....	do.....	268. 83	Do.
Meehan, Elizabeth E.....	do.....	4, 693. 46	Do.
Smith, Joan M.....	do.....	4, 693. 46	Do.
Gross, Dorothy J.....	do.....	510. 78	Do.
Johnson, Mildred R.....	do.....	183. 08	Do.
Roudebush, Ethel A.....	do.....	4, 351. 00	Do.
Williams, Margaret M.....	do.....	4, 351. 00	Do.
Sirner, Rhoda E.....	Clerk-stenographer.....	3, 975. 95	Stenographic and clerical.
Fox, Doris S.....	do.....	3, 749. 97	Do.
Siegel, Wayne H.....	Clerk.....	3, 699. 15	Clerical.
Key, Nancy E.....	Clerk-stenographer.....	3, 230. 54	Stenographic and clerical.

REFEREES

Carey, James P., Jr., 59 days at \$75 per day.	-----	\$4, 425. 00	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Douglass, David R., 48 days at \$75 per day.	-----	3, 600. 00	Do.
Gilden, Harold M., 58½ days at \$75 per day.	-----	4, 387. 50	Do.
Guthrie, Paul N., 13¾ days at \$75 per day.	-----	1, 031. 25	Do.
McMahon, Donald F., 7 days at \$75 per day.	-----	525. 00	Do.
Rader, LeRoy A., 66¼ days at \$75 per day.	-----	4, 968. 75	Do.
Rogers, Daniel O., 21 days at \$75 per day.	-----	1, 575. 00	Do.
Stone, Mortimer, 215 days at \$75 per day.	-----	16, 125. 00	Do.
Wyckoff, Hubert, 30¼ days at \$75 per day.	-----	2, 268. 75	Do.

SECOND DIVISION

Sassaman, Harry J.....	Executive secretary.....	\$8, 245. 72	Administration of affairs of division and subject to its direction.
Glenn, Allise N.....	Secretary.....	5, 100. 12	Secretarial, stenographic, and clerical.
Groble, Agatha E.....	do.....	5, 100. 12	Do.
Lindberg, Robert.....	do.....	5, 100. 12	Do.
Morrison, Margaret E.....	do.....	5, 100. 12	Do.
Shaughnessy, M. V.....	do.....	5, 100. 12	Do.
Williams, Dorothy M.....	do.....	5, 100. 12	Do.
Vought, Marcella R.....	do.....	4, 964. 64	Do.
Sturman, Alta M.....	do.....	4, 828. 95	Do.
Watson, Muriel G.....	do.....	4, 828. 95	Do.
Fountaine, Dorothy M.....	do.....	4, 693. 46	Do.
Thomas, Cecilia G.....	do.....	4, 693. 46	Do.

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

REFEREES

Name	Title	Salary paid	Duties
Carter, Edward F., 25 days at \$75 per day.	-----	\$1, 875. 00	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Donaldson, J. Glenn, 10 days at \$75 per day.	-----	750. 00	Do.
Douglass, David R., 110¼ days at \$75 per day.	-----	8, 268. 75	Do.
Stone, Mortimer, 4 days at \$75 per day.	-----	300. 00	Do.
Wenke, Adolph E., 28 days at \$75 per day.	-----	2, 100. 00	Do.

THIRD DIVISION

Tummon, A. Ivan.....	Executive secretary...	\$8, 013. 35	Administration of affairs of division and subject to its direction.
Lightner, Hazel I.....	Secretary.....	1, 466. 12	Secretarial, stenographic, and clerical.
Morse, Frances.....	.....do.....	5, 100. 12	Do.
Anderson, Loreto C.....	.....do.....	4, 964. 64	Do.
Balskey, C. Virginia.....	.....do.....	4, 964. 64	Do.
Sanford, Jewel C.....	.....do.....	4, 964. 64	Do.
Killeen, Eugene A.....	.....do.....	4, 828. 95	Do.
Smith, Lois E.....	.....do.....	4, 823. 75	Do.
Frey, Catherine E.....	.....do.....	4, 693. 46	Do.
Sommerfeld, Carol M.....	.....do.....	4, 693. 46	Do.
Targett, Margaret F.....	.....do.....	4, 578. 77	Do.
Meger, Jean M.....	.....do.....	3, 568. 00	Do.
Swanson, Ronald A.....	.....do.....	4, 547. 63	Do.
Vorphal, Joan A.....	Clerk-stenographer.....	1, 317. 15	Stenographic and clerical.
Griswold, Edgar M.....	Clerk.....	3, 699. 15	Clerical.

REFEREES

Carter, Edward F., 152¼ days at \$75 per day.	-----	\$11, 418. 75	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Cluster, H. Raymond, 89 days at \$75 per day.	-----	6, 675. 00	Do.
Coffey, A. Langley, 45½ days at \$75 per day.	-----	3, 412. 50	Do.
Daugherty, Carroll R., 2 days at \$75 per day.	-----	150. 00	Do.
Larkin, John Day, 86¾ days at \$75 per day.	-----	6, 506. 25	Do.
McMahon, Donald F., 4 days at \$75 per day.	-----	\$300. 00	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Parker, Jay S., 3¼ days at \$75 per day.	-----	243. 75	Do.
Rader, LeRoy A., 90¾ days at \$75 per day.	-----	6, 806. 25	Do.
Shake, Curtis G., 5 days at \$75 per day.	-----	375. 00	Do.
Smith, Livingston, 73¾ days at \$75 per day.	-----	5, 531. 25	Do.
Whiting, Dudley E., 21 days at \$75 per day.	-----	1, 575. 00	Do.
Wyckoff, Hubert, 39¾ days at \$75 per day.	-----	2, 981. 25	Do.

FOURTH DIVISION

Parkhurst, R. B.....	Executive Secretary.....	\$8, 894. 10	Administration of affairs of division and subject to its direction.
Humfreville, M. L.....	Secretary.....	5, 100. 12	Secretarial, stenographic, and clerical.
Zimmerman, R. Hazel.....	.....do.....	5, 100. 12	Do.
Adams, Henrietta V.....	.....do.....	4, 964. 64	Do.

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

REFEREES

Name	Title	Salary paid	Duties
Johnson, Walter R., 90½ days at \$75 per day.	-----	\$6,787.50	Sat with division as member to make awards, upon failure of division to agree or secure majority vote.
Livingston, Clint G., 23 days at \$75 per day.	-----	1,725.00	Do.
Lynch, Edward A., 26½ days at \$75 per day.	-----	1,987.50	Do.
McCourt, John B., 77½ days at \$75 per day.	-----	5,812.50	Do.
Wimberly, Harrington, 1¼ days at \$75 per day.	-----	131.25	Do.

**FIRST DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD
39 South La Salle Street, Chicago 3, Ill.**

ORGANIZATION OF THE DIVISION, FISCAL YEAR 1955-56

B. W. FERN, Chairman

H. J. REESER, Vice Chairman

HAROLD V. BORDWELL

H. W. BURTNESS

GEORGE H. DUGAN

L. B. FEE¹

J. K. HINKS

E. T. HORSLEY²

C. W. KEALEY

C. E. MCDANIELS

D. A. MILLER

J. M. MACLEOD, Executive Secretary

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.

TABLE 1.—Cases docketed fiscal year 1955-56; classified according to carrier party to submission

Name of carrier	Number of cases docketed	Name of carrier	Number of cases docketed
Alabama Great Southern-----	1	Chicago, Milwaukee, St. Paul & Pacific—East-----	19
Atchison, Topeka & Santa Fe—Coast-----	3	Chicago, Milwaukee, St. Paul & Pacific—West-----	1
Atchison, Topeka & Santa Fe—East and West-----	9	Chicago, North Shore & Milwaukee-----	3
Atlanta & West Point—Western Railway of Alabama-----	1	Chicago & North Western-----	21
Atlantic Coast Line-----	2	Chicago River & Indiana-----	4
Baltimore & Ohio-----	13	Chicago, Rock Island & Pacific--Cincinnati, New Orleans & Texas Pacific-----	21
Baltimore & Ohio Chicago Terminal-----	2	Cleveland, Cincinnati, Chicago & St. Louis-----	3
Boston & Maine-----	27	Colorado & Southern-----	2
Central of Georgia-----	1	Cuyahoga Valley-----	1
Central Vermont Railway, Inc.--	1	Delaware & Hudson-----	18
Chesapeake & Ohio-----	26	Delaware, Lackawanna & Western-----	36
Chicago, Burlington & Quincy--	45	Denver & Rio Grande Western--	7
Chicago & Eastern Illinois-----	1		
Chicago Great Western-----	10		
Chicago & Illinois Midland-----	9		

¹ Resigned January 15, 1956.

² Succeeded L. B. Fee, January 16, 1956.

TABLE 1.—Cases docketed fiscal year 1955-56; classified according to carrier party to submission—Continued

Name of carrier	Number of cases docketed	Name of carrier	Number of cases docketed
Des Moines Union.....	5	New York Central—South.....	2
Duluth, Winnipeg & Pacific....	1	New York, Chicago & St. Louis..	3
Erie.....	6	New York, New Haven & Hartford.....	2
Florida East Coast.....	7	Norfolk & Western.....	4
Fort Worth & Denver.....	4	Northern Pacific Terminal of Oregon.....	2
Galveston Wharves.....	1	Northwestern Pacific.....	4
Georgia.....	1	Pennsylvania—Buckeye.....	1
Grand Trunk Western.....	8	Pennsylvania—Central.....	2
Great Northern.....	35	Pennsylvania—East.....	17
Green Bay & Western.....	1	Pennsylvania—Lake.....	1
Gulf, Mobile & Ohio.....	3	Pennsylvania—Pittsburgh.....	3
Hudson & Manhattan.....	1	Pennsylvania—West.....	4
Illinois Central.....	7	Peoria & Pekin Union.....	1
International-Great Northern....	9	Philadelphia Bethlehem & New England.....	1
Joint Texas Division of the Chicago, Rock Island & Pacific & Fort Worth & Denver.....	2	Reading.....	51
Kansas City Southern.....	10	St. Louis, Brownsville & Mexico..	3
Kansas City Terminal.....	1	St. Louis-San Francisco.....	1
Kentucky & Indiana Terminal....	2	St. Louis Southwestern.....	11
King Street Passenger Station....	2	San Antonio, Uvalde & Gulf.....	3
Lehigh Valley.....	3	San Diego & Arizona Eastern....	3
Long Island.....	1	Savannah & Atlanta.....	4
Los Angeles Junction.....	5	Seaboard Air Line.....	10
Louisiana & Arkansas.....	5	South Buffalo.....	1
Louisville & Nashville.....	14	Southern.....	13
Memphis Union Station.....	1	Southern Pacific—Pacific.....	83
Michigan Central.....	1	Spokane International.....	1
Milwaukee-Kansas City Southern Joint Agency.....	1	Terminal Railroad Association of St. Louis.....	5
Minneapolis, St. Paul & Sault Ste Marie.....	10	Texas & Pacific.....	18
Missour-Kansas-Texas.....	3	Union Pacific—Central.....	4
Missour Pacific.....	3	Union Pacific—East.....	12
Monongahela Connecting.....	1	Union Pacific—Northwest.....	6
Nashville, Chattanooga & St. Louis.....	5	Union Pacific (SLB&GH).....	1
New Orleans & Northeastern....	1	Union Pacific—South Central....	10
New Orleans Public Belt.....	4	Union Railway—Pittsburgh.....	1
New Orleans, Texas & Mexico....	1	Wabash.....	7
New York Central—Toledo & Ohio Centr.l.....	2	Western Maryland.....	3
New York Central—East.....	14	Western Pacific.....	13
		Total.....	780

TABLE 2.—Cases docketed fiscal year 1955-56; classified according to organization party to submission

Name of organization	Number of cases docketed	Name of organization	Number of cases docketed
Engineers.....	142	Conductors—Trainmen.....	5
Engineers—Firemen.....	4	Trainmen.....	224
Engineers—Firemen—Conductors—Trainmen.....	1	Switchmen's Union of North America.....	90
Engineers—Conductors.....	2	Individual.....	32
Firemen.....	168		
Firemen—Trainmen.....	2		
Conductors.....	110	Total.....	780

SECOND DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

220 South State Street, Chicago 4, Ill.

C. E. GOODLIN, *Chairman*
D. H. HICKS, *Vice Chairman*
J. A. ANDERSON
R. W. BLAKE
E. H. FITCHER¹

R. P. JOHNSON
T. E. LOSEY
M. E. SOMERLOTT
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 of the foregoing, coach cleaners, powerhouse employees, and railroad shop laborers.

MEMBERSHIP

The 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.

COMMENT

In addition to the cases, regularly docketed, the Division has also been called upon to handle a substantial number of potential cases. Many of the communications received were from individuals seeking information as to the method and procedure to be followed in properly presenting cases to the Division for adjustment. Some correspondents complain of alleged violations of rules in existing agreements; some attempt to file cases with the Division from properties upon which system boards of adjustment exist; while still others relate disputes which might properly be referred to the Division for adjustment. Such cases, 39 in number, developed during the fiscal year ending June 30, 1956; however, in addition thereto, much correspondence was carried on in connection with similar potential cases listed in our reports for previous years. Many of the cases require special study and consideration which involves a great deal of correspondence and consumes 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 disputes to a conclusion.

TABLE 1. *Carriers party to cases docketed*

	<i>Number of cases</i>		<i>Number of cases</i>
Aliquippa & Southern R.R. Co.,		Chicago & North Western Ry.	
The -----	2	Co. -----	1
American Refrigerator Transit		Chicago, Burlington & Quincy	
Co. -----	1	R.R. Co. -----	10
Atchison, Topeka & Santa Fe Ry.		Chicago, Milwaukee, St. Paul &	
Co. -----	28	Pacific R.R. Co. -----	12
Atlantic Coast Line R.R. -----	8	Chicago, Rock Island and Pacific	
Baltimore & Ohio R.R. Co., The	5	R.R. Co. -----	15
Baltimore & Ohio Chicago Ter-		Cincinnati, New Orleans & Texas	
minal R.R. -----	1	Pacific Ry. Co. -----	1
Bangor & Aroostook R.R. -----	1	Cincinnati Union Terminal Co.,	
Belt Ry. Co. of Chicago, The -----	2	The -----	5
Bessemer & Lake Erie R.R. Co. -----	1	Cleveland, Cincinnati, Chicago &	
Boston & Maine R.R. -----	8	St. Louis Ry. -----	1
Central of Georgia Ry. Co. -----	4	Clinchfield Railroad Co. -----	1
Central R.R. Co. of New Jersey,		Delaware and Hudson R.R. Corp.	1
The -----	1	Delaware, Lackawanna & West-	1
Charleston & Western Carolina		ern R.R. Co., The -----	1
Ry. Co. -----	2	Denver & Rio Grande Western	
Cheasapeake & Ohio Ry. Co.,		R.R. Co. The -----	3
The -----	3	Donora Southern R.R. -----	1
Chicago & Eastern Illinois R.R.		Duluth, Missabe & Iron Range	
Co. -----	2	Ry. Co. -----	4

¹ Succeeded T. F. Purcell, effective October 1, 1955.

TABLE 1. *Carriers party to cases docketed*—Continued

	<i>Number of cases</i>		<i>Number of cases</i>
Elgin, Joliet & Eastern Ry. Co.	3	Northern Pacific Ry. Co.	3
Erie R.R. Co.	1	Northern Pacific Terminal Co. of Oregon	3
Florida East Coast Ry. Co.	2	Northwestern Pacific R.R. Co.	3
Fruit Growers Express Co.	1	The Pennsylvania R.R.	29
Grand Trunk Western R.R. Co.	1	Pittsburgh & Lake Erie R.R. Co., The	4
Great Northern Ry. Co.	25	Port Terminal R.R. Association	1
Gulf, Mobile & Ohio R.R. Co.	2	The Pullman Co.	17
Illinois Central R.R. Co.	29	Reading Co.	5
Illinois Terminal R.R. Co.	1	St. Louis-San Francisco Ry. Co.	8
International-Great Northern R.R. Co.	6	St. Louis Southwestern Ry. Co.	6
Kansas City Southern Ry. Co., The	1	San Antonio Joint Car Inter- change	1
Kansas City Terminal Ry.	1	Seaboard Air Line R.R. Co.	1
Lehigh Valley R.R. Co.	1	Southern Ry. Co.	5
Long Island R.R. Co., The	4	Southern Pacific Co. (Pacific Lines)	15
Louisville & Nashville R.R. Co.	9	Southern Pacific Lines in Texas and Louisiana (Texas & New Orleans R.R. Co.)	3
Manufacturers Ry. Co.	1	Texas & Pacific Ry. Co., The	8
Memphis Union Station Co.	1	Union Pacific R.R.	14
Milwaukee, Kansas City South- ern Joint Agency	2	Union Terminal Co.	2
Missouri-Kansas-Texas R.R. Co.	4	Wabash R.R. Co.	11
Missouri Pacific R.R. Co.	25	Washington Terminal Co., The	1
Nashville, Chattanooga & St. Louis Ry., The	1	Western Pacific R.R. Co.	2
New York Central System	2		
New York, Chicago & St. Louis R.R. Co., The	3		
Norfolk & Western Ry. Co.	5	Total	398

TABLE 2.—*Organizations, etc., party to cases docketed*

	<i>Number of cases</i>
Brotherhood Railway Carmen of America	158
International Brotherhood of Electrical Workers	67
International Association of Machinists	81
International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers	27
Sheet Metal Workers' International Association	18
International Brotherhood of Boilermakers, Iron Ship Builders, Black- smiths, Forgers and Helpers ¹	20
Federated trades	6
Transport Workers Union of America, CIO, Railroad Division ²	13
United Steel Workers of America	
Individually submitted cases, etc	8
Total cases docketed	398

¹ This organization represents an amalgamation of the International Brotherhood of Blacksmiths, Drop Forgers and Helpers with the International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America.

² This organization represents the organization shown in prior years' reports as the United Railroad Workers of America, CIO.

THIRD DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

220 South State Street, Chicago 4, Ill.

J. W. WHITEHOUSE, *Chairman*
W. H. CASTLE, *Vice Chariman*
C. R. BARNES
R. M. BUTLER
R. C. COUTTS
C. P. DUGAN

E. T. HORSLEY ¹
J. E. KEMP
J. F. MULLEN
GERALD ORNDORFF
ROGER SARCHET ²
J. H. SYLVESTER

A. IVAN TUMMON, *Executive Secretary*

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).

TABLE 1.—*Carriers party to cases docketed*

	Number of cases		Number of cases
Akron, Canton & Youngstown.....	1	Clinchfield.....	2
Alabama, Tennessee & Northern.....	1	Colorado & Southern.....	4
Aliquippa & Southern.....	1	Delaware & Hudson.....	42
Atchison, Topeka & Santa Fe.....	74	Delaware, Lackawanna & West- ern.....	36
Atlanta Joint Terminal.....	4	Denver & Rio Grande Western.....	11
Atlantic Coast Line.....	3	Denver Union Terminal.....	1
Baltimore & Ohio.....	30	Des Moines Union.....	1
Baltimore & Ohio Chicago Ter- minal.....	1	Detroit, Toledo & Shore Line.....	1
Belt Railway of Chicago.....	4	Donora Southern.....	1
Bessemer & Lake Erie.....	4	Elgin, Joliet & Eastern.....	4
Boston & Albany (NYC).....	1	Erie.....	31
Boston & Maine.....	11	Florida East Coast.....	2
Brooklyn Eastern District Ter- minal.....	3	Fort Worth & Denver.....	6
Burlington-Rock Island.....	1	Galveston, Houston & Henderson	1
Camas Prairie.....	1	Georgia.....	4
Central of Georgia.....	8	Georgia & Florida.....	2
Central Railroad of New Jersey.....	16	Georgia, Southern & Florida.....	2
Central Vermont.....	1	Grand Trunk Western.....	11
Charleston & Western Carolina.....	1	Great Northern.....	12
Chesapeake & Ohio.....	37	Gulf Coast—IGN.....	1
Chicago & Eastern Illinois.....	6	Gulf, Colorado & Santa Fe.....	19
Chicago & Northwestern.....	3	Gulf, Mobile & Ohio.....	11
Chicago & Western Indiana.....	5	Houston Belt & Terminal.....	1
Chicago, Burlington & Quincy.....	19	Hudson & Manhattan.....	1
Chicago Great Western.....	3	Illinois Central.....	36
Chicago, Indianapolis & Louis- ville (Monon).....	2	International Great Northern.....	4
Chicago, Milwaukee, St. Paul & Pacific.....	74	Kansas City Southern.....	2
Chicago, Rock Island & Pacific.....	30	Kansas City Terminal.....	4
Chicago, St. Paul, Minneapolis & Omaha.....	1	Kansas, Oklahoma & Gulf.....	2
Cincinnati, New Orleans & Texas Pacific.....	1	Kentucky & Indiana Terminal.....	1
Cincinnati Union Terminal.....	2	Lake Superior Terminal & Trans- fer Co.....	1
Cleveland, Cincinnati, Chicago & St. Louis.....	2	Lake Terminal.....	1
		Lehigh & New England.....	4
		Lehigh Valley.....	11
		Long Island.....	6
		Los Angeles Junction.....	1
		Louisiana & Arkansas.....	1

¹ E. T. Horsley replaced by J. F. Mullen January 16, 1956.

² Roger Sarchet replaced by R. C. Coutts July 1, 1955.

TABLE 1.—*Carriers party to cases docketed*—Continued

	<i>Number of cases</i>		<i>Number of cases</i>
Louisiana & Northwest.....	1	Pullman Co.....	25
Louisville & Nashville.....	5	Railway Express Agency, Inc.....	9
Maine Central-Portland Ter- minal.....	2	Reading.....	11
McCloud River RR.....	1	Rutland.....	2
Midland Valley.....	4	St. Joseph Union Depot.....	1
Minneapolis & St. Louis.....	5	St. Paul Union Depot.....	2
Missouri-Kansas-Texas.....	9	St. Louis-San Francisco.....	20
Missouri Pacific RR.....	23	St. Louis Southwestern.....	50
Missouri Pacific Lines.....	5	San Diego & Arizona Eastern.....	1
Monongahela.....	1	Seaboard Air Line.....	18
Nashville, Chattanooga & St. Louis.....	1	Southern.....	25
New Orleans & Northeast.....	1	Southern Pacific (Pacific Lines).....	38
New York Central.....	20	Southern Pacific (Texas & Loui- siana).....	4
New York, Chicago & St. Louis.....	6	Spokane, Portland & Seattle.....	4
New York, New Haven & Hart- ford.....	20	Tennessee Central.....	6
Norfolk Southern.....	13	Terminal Railroad Association of St. Louis.....	1
Norfolk & Western.....	6	Texas & Pacific.....	22
Northern Pacific.....	7	Toledo Terminal Railroad.....	1
Northern Pacific Terminal of Oregon.....	4	Union Pacific.....	22
Northwestern Pacific.....	2	Wabash.....	10
Pacific Electric.....	1	Western Fruit Express.....	1
Pennsylvania.....	97	Western Pacific.....	15
Pittsburgh & Lake Erie.....	3	Western Weighing & Inspection Bureau.....	11
Portland Terminal Railroad As- sociation.....	2	Total.....	1, 170

TABLE 2.—*Organizations party to cases docketed*

	<i>Number of cases</i>		<i>Number of cases</i>
American Train Dispatchers As- sociation.....	37	The Order of Railroad Telegra- phers.....	309
Brotherhood Maintenance-of- Way Employees.....	149	Order of Railway Conductors & Brakemen (Pullman System).....	19
Brotherhood of Railroad Signal- men of America.....	75	United Transport Service Em- ployees of America.....	6
Brotherhood of Railroad Train- men.....	3	Miscellaneous classes of employ- ees.....	14
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express & Station Employees.....	539	Transport Workers Union of America (CIO) (Railroad Divi- sion).....	1
Brotherhood of Sleeping Car Porters.....	5	Total.....	1, 170
Joint Council Dining Car Em- ployees.....	13		

FOURTH DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

220 South State Street, Chicago 4, Ill.

V. W. SMITH, *Chairman*P. C. CARTER, *Vice Chairman*

C. A. CONWAY

H. K. HAGERMAN

W. J. RYAN

J. P. TAHNEY

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 6 members, 3 of whom shall be selected by the carriers and 3 by the national labor organizations of the employees (par. (h), sec. 3, First, Railway Labor Act, 1934).

TABLE 1.—*Carriers party to cases docketed*

	<i>Number of cases</i>
Baltimore & Ohio RR. Co.....	7
Chesapeake & Ohio Ry. Co.—Northern region.....	1
Chesapeake & Ohio Ry. Co.....	1
Chicago & North Western Ry. Co.....	4
Chicago, Burlington & Quincy RR. Co.....	1
Chicago Great Western Ry. Co.....	2
Chicago, Milwaukee, St. Paul & Pacific RR. Co.....	2
Chicago, Rock Island & Pacific RR. Co.....	1
Bush Terminal RR. Co.....	1
Delaware, Lackawanna & Western RR. Co.....	1
Denver & Rio Grande Western RR. Co.....	2
Grand Trunk Western RR. Co.....	2
Indiana Harbor Belt RR.....	1
Missouri-Kansas-Texas RR. Co.....	2
Missouri Pacific RR. Co.....	1
New Orleans Public Belt RR.....	2
New York Central RR. Co.....	8
New York, New Haven & Hartford RR. Co.....	2
Northern Pacific Terminal Co. of Oregon.....	1
Ogden Union Ry. & Depot Co.....	1
Pennsylvania RR. Co.....	4
Pittsburgh & Lake Erie RR. Co.....	4
Pullman Co.....	1
Reading Co.....	1
Southern Pacific Co. (Pacific Lines).....	2
Southern Ry. Co.....	2
Texas & Pacific Ry. Co.....	1
Union RR. Co. (Pittsburgh).....	1
Virginian RR. Co.....	1
Washington Terminal Co.....	1
Total.....	61

TABLE 2.—*Organizations—Employees party to cases docketed*

	<i>Number of cases</i>
American Railway Supervisors Association.....	8
Association of Railway Trainmen & Locomotive Firemen.....	1
Brotherhood of Railroad Trainmen.....	3
Brotherhood of Sleeping Car Porters.....	1
International Organization Masters, Mates & Pilots, Inc.....	5
Joint Council Dining Car Employees.....	2
Miscellaneous classes of employees.....	2
Police Department Employees.....	1
Railroad Yardmasters of America.....	25
Railroad Yardmasters of North America, Inc.....	2
Railway Patrolmen's International Union.....	9
Railway Technical Engineers.....	1
United Steelworkers of America.....	1
Total.....	61

APPENDIX B

Arbitrators appointed—Arbitration boards, fiscal year 1956

RAILROADS

Name	Residence	Date of appointment	Arbitration and case No.	Parties
J. Glenn Donaldson.....	Denver, Colo.....	Jan. 17, 1956	Arb. 208; A-4683.....	Colorado & Wyoming Ry. Co.; Brotherhood of Railway & Steamship Clerks.
David L. Cole.....	Paterson, N. J.....	Apr. 2, 1956	Arb. 212.....	New York Central R.R. Co.; Brotherhood of Railway & Steamship Clerks.
David R. Douglass.....	Oklahoma City, Okla.....	Apr. 13, 1956	Arb. 211; A-4943.....	Chicago & Western Indiana R.R. Co.; Brotherhood of Railroad Trainmen.
Mortimer Stone.....	Denver, Colo.....	June 15, 1956	Arb. 215; A-5101.....	Chicago Union Station Co.; Brotherhood of Railway & Steamship Clerks.
Carroll R. Daugherty.....	Evanston, Ill.....	June 19, 1956	Arb. 214; A-4557.....	Chicago Great Western Ry. Co.; International Brotherhood of Electrical Workers.

AIRLINES

Theodore W. Kheel.....	New York, N. Y.....	Sept. 22, 1955	Arb. 209; A-4956.....	Pan American World Airways, Inc.; Transport Workers Union of America.
Paul N. Guthrie.....	Chapel Hill, N. C.....	Feb. 1, 1956	Arb. 210; A-4793.....	Northwest Airlines, Inc.; Air Line Communication Employees Association.
Frank P. Douglass.....	Pine, Colo.....	Apr. 23, 1956	Arb. 213; A-5131.....	Eastern Air Lines, Inc.; Air Line Dispatchers Association.

Arbitrators appointed—Special Board of Adjustment, fiscal year 1956

RAILROADS

Name	Residence	Date of appointment	Special Board No.	Number of awards	Parties
Frank P. Douglass.....	Pine, Colo.....	July 5, 1955	108	729	Atchison, Topeka & Santa Fe Ry and Panhandle & Santa Fe Ry (E&W Lines); Order of Railway Conductors and Brakemen and Brotherhood of Railroad Trainmen.
John W. Yeager ¹	Lincoln, Nebr.....	Sept. 13, 1955	115	41	Great Northern Ry Co.; Switchmen's Union of North America.
A. Langley Coffey ¹	Tulsa, Okla.....	Sept. 22, 1955	116	3	Central of Georgia Railway Co.; Order of Railway Conductors and Brakemen and Brotherhood of Railroad Trainmen.
Francis J. Robertson ¹	Washington, D. C.....	Sept. 29, 1955	97	70	Union Railroad Co.; Brotherhood of Locomotive Engineers.
Harold M. Gilden ¹	Chicago, Ill.....	Oct. 10, 1955	119	27	The Long Island Railroad Co.; Brotherhood of Railroad Trainmen.
Thomas C. Begley.....	Cleveland, Ohio.....	Oct. 17, 1955	118	48	Terminal Railroad Association of St. Louis; Brotherhood of Railroad Trainmen.
Francis J. Robertson ¹	Washington, D. C.....	Oct. 28, 1955	121	3	Youngstown & Northern Railroad Co.; Brotherhood of Railroad Trainmen.
A. Langley Coffey.....	Tulsa, Okla.....	Nov. 2, 1955	120	105	Chesapeake & Ohio Railway Co.; Brotherhood of Locomotive Firemen & Enginemen.
Thomas J. Mabry ¹	Albuquerque, N. Mex.....	Nov. 3, 1955	123	(²)	San Diego & Arizona Eastern Ry. Co.; Brotherhood of Railroad Trainmen.
Harold M. Gilden.....	Chicago, Ill.....	Nov. 4, 1955	122	56	Pittsburgh & Lake Erie Railroad Co., Lake Erie & Eastern Railroad Co.; Brotherhood of Railway & Steamship Clerks.
Donald F. McMahon.....	Oklahoma City, Okla.....	Dec. 16, 1955	114	75	Chesapeake & Ohio Railroad Co.; Brotherhood of Railroad Trainmen.
Harold M. Gilden ¹	Chicago, Ill.....	Dec. 9, 1955	125	88	Donora Southern Railroad Co.; Brotherhood of Railroad Trainmen.
Harold M. Gilden ¹	do.....	Dec. 14, 1955	126	21	Lake Terminal Railroad Co.; Brotherhood of Railroad Trainmen.
A. Langley Coffey ¹	Tulsa, Okla.....	Dec. 19, 1955	128	10	Eastern, Western & Southeastern Conference Committees; Brotherhood of Railroad Trainmen.
Angus Munro ¹	Dallas, Tex.....	Jan. 5, 1956	129	4	Galveston, Houston & Henderson Railroad Co.; Brotherhood of Railroad Trainmen.
John W. Yeager ¹	Lincoln, Nebr.....	Jan. 20, 1956	90	240	Union Pacific Railroad Co. (South Central District); Brotherhood of Railroad Trainmen.
Frank P. Douglass.....	Pine, Colo.....	Jan. 1, 1956	124	(²)	Joint Texas Division, Chicago, Rock Island & Pacific Railroad Co.; Brotherhood of Railroad Trainmen.
Thomas J. Mabry ¹	Albuquerque, N. Mex.....	Feb. 1, 1956	130	(²)	Oregon, California & Eastern Ry. Co.; Order of Railway Conductors & Brakemen.
Francis J. Robertson ¹	Washington, D. C.....	Feb. 29, 1956	134	128	Delaware, Lackawanna & Western R.R. Co.; Switchmen's Union of North America.
Frank P. Douglass.....	Pine, Colo.....	Feb. 24, 1956	127	172	Gulf, Colorado & Santa Fe Ry. Co.; Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen & Enginemen, Brotherhood of Railroad Trainmen.

Francis J. Robertson ¹	Washington, D. C.....	Feb. 13, 1956	132	88	The Baltimore & Ohio Railroad Co., The B. & O. Terminal Railroad Co., Staten Island Rapid Transit Ry. Co. Order of Railroad Telegraphers.
Harold M. Gilden ¹	Chicago, Ill.....	Feb. 14, 1956	133	38	Union R.R. Co.; Brotherhood of Railroad Trainmen.
Edward A. Lynch.....	Pottsville, Pa.....	Mar. 5, 1956	135	1	Union R.R. Co.; United Steelworkers of America.
David R. Douglass ¹	Oklahoma City, Okla.....	Mar. 6, 1956	131	21	New York Central R.R. (West District); Brotherhood of Railroad Trainmen.
Harold M. Gilden ¹	Chicago, Ill.....	Mar. 23, 1956	138	3	Boston & Maine R.R.; Brotherhood of Railroad Trainmen.
Harold M. Gilden.....	do.....	Mar. 30, 1956	139	(?)	Detroit & Toledo Shore Line R.R. Co.; Brotherhood of Railroad Trainmen.
Dudley E. Whiting.....	Detroit, Mich.....	Apr. 3, 1956	136	42	Chesapeake & Ohio Railway Co.; Order of Railroad Telegraphers.
James P. Carey, Jr. ¹	Chicago, Ill.....	Apr. 4, 1956	140	(?)	Chicago, Milwaukee, St. Paul & Pacific R.R. Co. (Lines East); Brotherhood of Railroad Trainmen, Order of Railway Conductors & Brakemen.
Angus Munro ¹	Dallas, Tex.....	Apr. 5, 1956	141	34	Texas & Pacific Ry. and subsidiaries, Texas Pacific-Missouri Pacific Terminal R.R. of New Orleans; Brotherhood of Locomotive Engineers.
Livingston Smith ¹	do.....	Apr. 12, 1956	117	57	Missouri Pacific R.R. Co.; Order of Railroad Telegraphers.
Mortimer Stone ¹	Denver, Colo.....	May 14, 1956	143	(?)	Denver & Rio Grande Western; Switchmen's Union of North America, Order of Railway Conductors & Brakemen.
A. Langley Coffey.....	Tulsa, Okla.....	May 25, 1956	144	(?)	Eastern, Western & Southeastern Conference Committees representing Seaboard Air Line Co. and Delaware, Lackawanna & Western R.R. Co.; Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen & Engineers, Order of Railway Conductors & Brakemen, Brotherhood of Railroad Trainmen.
Do.....	do.....	do.....	145	(?)	Eastern, Western & Southeastern Carriers Conference Committees representing Southern Pacific Co. (Pacific Lines); Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen & Engineers.
David R. Douglass ¹	Oklahoma City, Okla.....	May 28, 1956	147	(?)	New York Central R.R. (Eastern District—Order of Railway Conductors and Brakemen), Eastern, Western, Southeastern Carriers Conference Committees; Brotherhood of Locomotive Firemen & Engineers.
Curtis G. Shake.....	Vincennes, Ind.....	June 13, 1956	150	7	Wabash R.R. Co.; Brotherhood of Railroad Trainmen.
Emmett D. Ferguson.....	Lafayette, Ind.....	June 12, 1956	142	(?)	Chicago, Milwaukee, St. Paul & Pacific R.R. (Lines East); Brotherhood of Railroad Trainmen, Order of Railway Conductors & Brakemen.
Harold M. Gilden ¹	Chicago, Ill.....	June 14, 1956	140	(?)	Illinois Terminal R.R. Co.; Brotherhood of Railroad Trainmen.
Francis J. Robertson ¹	Washington, D. C.....	do.....	149	(?)	Northwestern Pacific Ry. Co.; Order of Railway Conductors & Brakemen, Brotherhood of Railroad Trainmen.
Thomas J. Mabry ¹	Albuquerque, N. Mex.....	June 13, 1956	107	(?)	The Long Island R.R. Co.; Brotherhood of Railroad Trainmen.
Harold M. Gilden ¹	Chicago, Ill.....	June 27, 1956	152	(?)	

¹ Selected by the parties.² Number of awards not available.

Arbitrators appointed pursuant to union shop agreements, fiscal year 1956

Name	Residence	Date of appointment	Carrier	Organization	Individual involved
William A. Underhill.....	Washington, D. C.....	Aug. 12, 1955	Pennsylvania R.R. Co.....	Brotherhood of Railway & Steamship Clerks.	Frank J. Fykes.
Carroll Daugherty.....	Evanston, Ill.....	Nov. 28, 1955	Chicago, Milwaukee, St. Paul & Pacific R.R.	Brotherhood of Maintenance-of-Way Employees.	John Brimer.
William A. Underhill.....	Washington, D. C.....	Feb. 27, 1956	Pennsylvania R.R. Co.....	Brotherhood of Railway & Steamship Clerks.	Sophia S. Sub-rannl.
Sidney A. Wolff.....	New York, N. Y.....	do.....	Railway Express Agency, Inc.	International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America.	Leo Murphy.
Marion Beatty.....	Kansas City, Mo.....	May 24, 1956	St. Louis-San Francisco Ry....	Brotherhood of Railroad Trainmen.....	O. R. Baker.

Referees Appointed—System Board of Adjustment (Airline), fiscal year 1956

Name	Residence	Date of appointment	Parties
Ralph T. Seward.....	Washington, D. C.....	July 22, 1955	Capital Airlines, Inc., and International Association of Machinists.
Richard A. Lester.....	Princeton, N. J.....	July 26, 1955	Pan American World Airways and Brotherhood of Railway and Steamship Clerks.
Do.....	do.....	Aug. 2, 1955	Pan American World Airways and Transport Workers Union of America.
Paul H. Sanders.....	Nashville, Tenn.....	Aug. 3, 1955	Pan American World Airways and Brotherhood of Railway and Steamship Clerks.
Do.....	do.....	Aug. 4, 1955	Southern Airways and Air Carrier Mechanics Association.
Carroll Daugherty.....	Evanston, Ill.....	Aug. 9, 1955	Lake Central Airlines and Air Line Pilots Association.
Clint G. Livingston.....	Marietta, Okla.....	Oct. 28, 1955	Ozark Air Lines and Air Line Stewards and Stewardesses Association.
William S. Shea.....	New York, N. Y.....	Nov. 14, 1955	Pan American World Airways and Transport Workers Union of America.
James P. Kiernan.....	Venice, Fla.....	do.....	Eastern Air Lines and Flight Attendants.
Adolph E. Wenke.....	Lincoln, Nebr.....	Nov. 28, 1955	Trans World Airlines and Air Line Stewards and Stewardesses Association.
Paul H. Sanders.....	Nashville, Tenn.....	Dec. 8, 1955	Eastern Air Lines and International Association of Machinists.
Francis J. Robertson.....	Washington, D. C.....	Jan. 27, 1956	Capital Airlines and International Association of Machinists.
David L. Cole.....	Paterson, N. J.....	Jan. 31, 1956	Eastern Air Lines and International Association of Machinists.
Andrew Jackson.....	New York, N. Y.....	do.....	American Airlines and Air Line Pilots Association.
Paul N. Guthrie.....	Chapel Hill, N. C.....	Feb. 1, 1956	Capital Airlines and International Association of Machinists.
Dudley E. Whiting.....	Detroit, Mich.....	Mar. 8, 1956	Trans World Airlines and International Association of Machinists.
Do.....	do.....	do.....	Do.
Do.....	do.....	do.....	Do.
Robert G. Simmons.....	Lincoln, Nebr.....	Mar. 30, 1956	Northwest Airlines and Air Line Dispatchers Association.
Robert F. Cole.....	Miami, Fla.....	Apr. 26, 1956	National Airlines and Air Line Agents Association.
Sidney Wolff.....	New York, N. Y.....	do.....	American Airlines and Air Line Stewards and Stewardesses Association.
Donald F. McMahon.....	Oklahoma City, Okla.....	Apr. 27, 1956	Trans World Airlines and Transport Workers Union of America.
Robert G. Simmons.....	Lincoln, Nebr.....	May 2, 1956	Trans World Airlines and Air Line Stewards and Stewardesses Association.
Do.....	do.....	do.....	Do.
Sidney A. Wolff.....	New York, N. Y.....	May 7, 1956	American Airlines and Transport Workers Union of America.

Benjamin C. Roberts.....	.....do.....	May 24, 1956	Pan American World Airways and Transport Workers Union of America.
Paul H. Sanders.....	Nashville, Tenn.....	May 28, 1956	Southern Airways and Air Carrier Mechanics Association.
Harrington Wimberly.....	Washington, D. C.....	May 29, 1956	Eastern Air Lines and Air Line Stewards and Stewardesses Association.
David L. Cole.....	Paterson, N. J.....	June 13, 1956	Eastern Air Lines and International Association of Machinists.
James Vadakin.....	Coral Gables, Fla.....	.....do.....	Eastern Airlines and International Association of Machinists.
Carl R. Schedler.....	Tulsa, Okla.....	June 12, 1956	Southern Airways and Air Line Pilots Association.
J. Glenn Donaldson.....	Denver, Colo.....	June 19, 1956	Continental Airlines and Air Line Pilots Association.
Marlon Beatty.....	Kansas City, Mo.....	June 29, 1956	Trans World Airlines and Air Line Stewards and Stewardesses Association.
Do.....	.....do.....	.....do.....	Do.

Referees Appointed—System Board of Adjustment (Railroads), fiscal year 1956

Name	Residence	Date of appointment	Parties
John F. Fitzsimons.....	Forest Hills, N. Y.....	July 11, 1955	Pennsylvania R.R. and Dining Car and Railroad Food Workers Union.
William S. Shea.....	New York, N. Y.....	Feb. 3, 1956	Do.
Daniel A. Lynch.....	.....do.....	May 14, 1956	Pennsylvania R.R. and Railroad Food Workers Union.

TABLE 1.—Number of cases received and disposed of, fiscal years 1935-56

Status of cases	22-year period, 1935-56	Fiscal year 1956	Fiscal year 1955	Fiscal year 1954	Fiscal year 1953	Fiscal year 1952	Fiscal year 1951	Fiscal year 1950	5-year period, 1945-49 (aver- age)	5-year period, 1940-44 (aver- age)	5-year period, 1935-39 (aver- age)
All types of cases											
Cases pending and unsettled at begin- ning of period.....	96	198	154	125	184	153	125	93	172	126	151
New cases docketed....	8,252	409	451	425	395	448	418	394	463	381	219
Total cases on hand and re- ceived.....	8,348	607	605	550	579	601	543	487	635	507	370
Cases disposed of.....	8,189	448	407	396	454	417	390	362	496	347	220
Cases pending and unsettled at end of period.....	159	159	198	154	125	184	153	125	139	160	150
Representation cases											
Cases pending and unsettled at begin- ning of period.....	24	27	21	34	51	36	23	23	50	34	43
New cases docketed....	3,047	108	96	127	137	159	133	128	176	149	108
Total cases on hand and re- ceived.....	3,071	135	117	161	188	195	156	151	226	183	151
Cases disposed of.....	3,053	117	90	140	154	144	120	128	186	139	107
Cases pending and unsettled at end of period.....	18	18	27	21	34	51	36	23	40	44	44
Mediation cases											
Cases pending and unsettled at begin- ning of period.....	72	170	129	91	133	117	102	70	122	91	108
New cases docketed....	5,155	288	353	288	255	289	284	266	286	230	110
Total cases on hand and re- ceived.....	5,227	458	482	379	388	406	386	336	408	321	218
Cases disposed of.....	5,093	324	312	250	297	273	269	234	309	206	112
Cases pending and unsettled at end of period.....	134	134	170	129	91	133	117	102	99	115	106
Interpretation cases											
Cases pending and unsettled at begin- ning of period.....	0	1	4	0	0	0	0	0	0	1	0
New cases docketed....	50	13	2	10	3	0	1	0	1	2	1
Total cases on hand and re- ceived.....	50	14	6	10	3	0	1	0	1	3	1
Cases disposed of.....	43	7	5	6	3	0	1	0	1	2	1
Cases pending and unsettled at end of period.....	7	7	1	4	0	0	0	0	0	1	0

TABLE 2.—Disposition of mediation cases by method, class of carrier, issue involved, fiscal year 1956

	Disposition by type of carrier									Disposition by major issue involved							
	Total all cases	Railroads						Rail- roads total	Air- lines total	New Agreement		Rates of pay		Rules		Miscellaneous	
		Class 1	Class 2	Class 3	Switch- ing and terminal	Electric Rail- roads	Miscel- laneous carriers			Rail- road	Airline	Rail- road	Airline	Rail- road	Airline	Rail- road	Airline
Total.....	324	188	11	3	44	6	8	260	64	8	4	97	45	75	7	80	8
Mediation agreement.....	206	111	10	3	31	6	4	165	41	8	2	56	33	48	3	53	3
Arbitration agreement.....	3	2			1			3				2		1			
Withdrawn after mediation.....	26	21			3			24	2			12		6	1	6	1
Withdrawn before mediation.....	30	22	1		1		1	25	5	1		9	3	4	1	12	
Refusal to arbitrate by—																	
Carrier.....	12	9					1	10	2			5	1	4		1	1
Employees.....	16	8			3		1	12	4			4	3	7	1	1	
Both.....	7	3			1		1	5	2	1		3	1	1		1	
Dismissal.....	24	12			4			16	8			6	4	4	1	6	3

TABLE 3.—Representation cases disposition by craft or class, employees involved and participating, fiscal year 1956

	Total all cases	Railroads				Airlines			
		Number cases	Number crafts or classes	Number employees involved	Number employees participating	Number cases	Number crafts or classes	Number employees involved	Number employees participating
Total.....		98	121	13,606	11,624	19	25	2,719	954
Disposition:									
Certification based on election.....	81	68	85	12,398	11,553	13	18	1,099	947
Certification based on authorizations.....	13	12	16	81	71	1	1	8	7
Withdrawn after investigation.....	11	7	7	628	-----	4	5	1,405	-----
Withdrawn before investigation.....	5	5	5	230	-----	-----	-----	-----	-----
Dismissal.....	7	6	8	269	-----	1	1	207	-----
Total all cases.....	117	-----	146	16,325	12,578	-----	-----	-----	-----

TABLE 4.—Number of cases disposed of by major groups of employees, fiscal year 1956

Major groups of employees	Number of—			
	All types of cases	Representation cases	Mediation cases	Interpretation cases
Grand total, all groups of employees.....	448	117	324	7
Railroad, total.....	365	98	260	7
Combined groups, railroad.....	15	9	6	-----
Train, engine and yard service.....	187	31	150	6
Mechanical foremen.....	2	1	1	-----
Maintenance of equipment.....	16	5	10	1
Clerical, office, station, and storehouse.....	26	3	23	-----
Yardmasters.....	29	13	16	-----
Maintenance-of-way and signal.....	32	19	13	-----
Subordinate officials in maintenance of way.....	2	2	-----	-----
Agents, telegraphers, and towermen.....	4	1	3	-----
Train dispatchers.....	15	2	13	-----
Technical engineers, architects, draftsmen, etc.....	2	2	-----	-----
Dining-car employees, train and pullman porters.....	8	1	7	-----
Patrolmen and special officers.....	2	2	-----	-----
Marine service.....	19	6	13	-----
Miscellaneous railroad.....	6	1	5	-----
Airline, total.....	83	19	64	-----
Combined airline.....	5	5	-----	-----
Mechanics.....	17	3	14	-----
Radio and teletype operators.....	3	-----	3	-----
Chemical, office, stores, fleet and passenger service.....	9	3	6	-----
Stewards, stewardesses, and flight persons.....	8	4	4	-----
Pilots.....	20	1	19	-----
Dispatchers.....	7	-----	7	-----
Mechanical foremen.....	-----	-----	-----	-----
Meteorologists.....	2	-----	2	-----
Flight engineers.....	7	1	6	-----
Miscellaneous airline.....	5	2	3	-----

TABLE 5.—Number of crafts or classes and number of employees involved in representation cases, by major groups of employees, fiscal year 1956

Major groups of employees	Number of cases	Number of crafts or classes	Employees involved	
			Number	Percent
Grand total, all groups of employees.....	117	146	16,325	100
Railroad, total.....	98	121	13,606	83
Train service.....	11	13	4,642	28
Engine service.....	13	16	1,683	10
Yard service.....	7	7	1,920	12
Mechanical foremen.....	1	1	8	(1)
Maintenance of equipment.....	5	5	147	1
Clerical, office, station, and storehouse.....	3	3	455	3
Yardmasters.....	13	13	334	2
Maintenance of way and signal.....	19	19	1,489	9
Subordinate officials, maintenance of way.....	2	2	116	1
Agents, telegraphers, and towermen.....	1	1	3	(1)
Dispatchers.....	2	2	36	(1)
Technical engineers, architects, draftsmen, etc.....	2	2	104	1
Dining-car employees, train and pullman porters.....	1	1	1,726	11
Patrolmen and special officers.....	2	2	61	(1)
Marine service.....	6	7	469	3
Combined groups, railroad.....	9	26	378	2
Miscellaneous railroad.....	1	1	35	(1)
Airline, total.....	19	25	2,719	17
Mechanics.....	3	3	1,330	8
Radio and teletype operators.....				
Clerical, office, stores, fleet and passenger service.....	3	3	318	2
Stewards, stewardesses, and pursers.....	4	4	116	1
Dispatchers.....				
Pilots.....	1	1	54	(1)
Mechanical foremen.....				
Flight engineers.....	1	1	11	(1)
Combined groups, airline.....	5	11	826	5
Miscellaneous.....	2	2	64	(1)

¹ Less than 1 percent.

TABLE 6.—Number of crafts or classes certified and employees involved in representation cases by types of results, fiscal year 1956

	Certifications issued to—									Total	
	National organizations			Local unions			System associations			Craft or class	Number employees involved
	Craft or class	Employees involved		Craft or class	Employees involved		Craft or class	Employees involved			
		Number	Percent		Number	Percent		Number	Percent		
RAILROADS											
Representation acquired:											
Elections.....	16	316	(1) 3	2	104	45				18	420
Proved authorizations.....	12	36								12	36
Representation changes:											
Elections.....	37	1,845	16							37	1,845
Proved authorizations.....	4	45	(1)							4	45
Representation unchanged:											
Elections.....	28	8,364	72	1	43	19	1	1,726	99	30	10,133
Proved authorizations.....											
Total railroads.....	97	10,606	91	3	147	64	1	1,726	99	101	12,479
AIRLINES											
Representation acquired:											
Elections.....	11	401	4	1	53	23				12	454
Proved authorizations.....	1	8	(1)							1	8
Representation changed:											
Elections.....	4	607	5							4	607
Proved authorizations.....											
Representation unchanged:											
Elections.....				1	31	13	1	7	(1)	2	38
Proved authorizations.....											
Total airlines.....	16	1,016	9	2	84	36	1	7	(1)	19	1,107
Total combined railroad airline.....	113	11,622	100	5	231	100	2	1,733	100	120	13,586

¹ Less than 1 percent.

TABLE 1.—Strikes in the railroad and airline industries, July 1, 1955, to June 30, 1956

Case No.	Carrier	Organization	Craft or class	Number employees	Date work stoppage	Date work resumed	Days duration	Issues	Disposition	Approximate man-days lost
<i>PL</i> A-4609....	Peninsular Air Transport Co.	ACPA.....	Pilots.....	20	July 7, 1955	July 9, 1955	2	Rates of pay, working conditions.	Settled by parties.	40
<i>PL</i> A-4948....	Columbus & Greenville Ry. Co.	ORT, BRC, BMW, R.E.D.	Nonoperating employees.	246	Aug. 18, 1955	Sept. 7, 1955	20	1953 rules dispute.	do.....	4,920
<i>PL</i> A-4856....	White Pass & Yukon RR.	Federal Labor Union No. 24464.	Maintenance-of-way and shop crafts.	65	Sept. 8, 1955	Oct. 20, 1955	44	30 cents increase, paid vacation.	MA.....	2,860
<i>RR</i> A-4998....	Donora Southern RR.	BLE.....	Engineers.....	70	Sept. 23, 1955	Sept. 25, 1955	2	22 cents increase, differential.	MA.....	140
<i>AL</i> A-4935....	Southern Airways, Inc.	ALDA.....	Flight dispatchers.	6	Oct. 7, 1955	Oct. 10, 1955	4	Compensatory time, chief dispatcher duties.	MA.....	24
<i>RR</i> C-2416....	Louisville & Nashville RR. (Birmingham yards).	BLF&E.....	Hostlers.....	2,300	Oct. 24, 1955	Oct. 27, 1955	4	Reclassification of hostler helpers.	Returned by court injunction.	9,200
<i>PL</i> A-4874-4916	United Airlines, Inc.	FEIA.....	Flight engineers.	400	Oct. 23, 1955	Dec. 14, 1955	53	Selection-flight engineers.	MA.....	21,200
<i>RR</i> E-4.....	Grand Trunk Western RR.	BRT.....	Trainmen.....	169	Dec. 26, 1955	Dec. 28, 1955	2	5-day week and reinstatements.	MA.....	338
<i>PL</i> A-4890....	Western Air Lines, Inc.	BRC.....	Clerks.....	267	Jan. 9, 1956	Mar. 12, 1956	35	Wage increase retro to July 1, 1955.	MA.....	9,345
<i>RR</i> E-20....	Fort Dodge, De-Moines & Southern Ry.	BLE.....	Motormen.....	252	Feb. 15, 1956	Feb. 17, 1956	3	Pay adjustment.	Settled by parties.	756
<i>RR</i> Arb-212..	New York Central System:									
	Detroit.....	BRC.....	Clerks.....	107	Mar. 9, 1956	Mar. 11, 1956	2	Shorter workweek and Sunday work.	MA.....	214
	Utica.....			131	Mar. 11, 1956	Mar. 13, 1956	2			262
	Syracuse.....			111	do.....	do.....	2			222
	Buffalo.....			146	do.....	do.....	2			292
<i>RR</i> A-5091....	Macon, Dublin & Savannah RR.	BRT.....	Flagmen, Switchmen and brakemen.	22	Apr. 30, 1956	June 23, 1956	55	Make effective Oct. 1955 agreement and standard rates.	MA.....	1,210
<i>AL</i> A-5107....	United States Overseas Airlines.	IAM.....	Mechanics.....	45	June 30, 1956	July 24, 1956		Collective bargaining conferences delay by management.		45

TABLE 8.—Number of labor agreements on file with the National Mediation Board according to type of labor organizations, by class of carriers, fiscal years 1935-56

Types of labor organizations and fiscal years	All carriers	Class I	Class II	Class III	Switching and terminal	Electric	Express and pullman	Miscellaneous carriers	Airline carriers
All organizations:									
1956.....	5,190	3,117	648	121	763	164	14	86	277
1955.....	5,180	3,116	647	116	763	163	14	86	275
1954.....	5,157	3,106	645	115	760	162	13	86	270
1953.....	5,137	3,104	642	115	756	162	13	86	259
1952.....	5,118	3,102	638	115	752	160	13	84	254
1951.....	5,102	3,099	638	114	750	160	13	84	244
1950.....	5,092	3,094	638	114	749	159	13	84	241
1945.....	4,665	2,913	623	112	705	150	8	56	98
1940.....	4,193	2,708	582	102	603	108	8	38	44
1935.....	3,021	2,355	319	18	334	-----	5	-----	-----
National organizations:									
1956.....	4,551	2,796	556	104	665	137	11	71	211
1955.....	4,541	2,795	555	99	665	136	11	71	209
1954.....	4,520	2,786	553	98	662	135	10	71	205
1953.....	4,505	2,784	551	98	659	135	10	71	197
1952.....	4,486	2,782	547	98	655	133	10	69	192
1951.....	4,470	2,779	547	97	653	133	10	69	182
1950.....	4,460	2,774	547	97	652	132	10	69	179
1945.....	4,070	2,600	533	96	610	123	6	47	55
1940.....	3,672	2,421	501	86	516	89	8	31	20
1935.....	2,222	1,652	265	6	295	-----	5	-----	-----
System associations:									
1956.....	545	266	90	15	80	23	3	14	54
1955.....	545	266	90	15	80	23	3	14	54
1954.....	544	266	90	15	80	23	3	14	53
1953.....	539	266	89	15	79	23	3	14	50
1952.....	539	266	89	15	79	23	3	14	50
1951.....	539	266	89	15	79	23	3	14	50
1950.....	539	266	89	15	79	23	3	14	50
1945.....	515	265	88	15	77	23	2	9	36
1940.....	456	247	79	15	72	17	-----	7	19
1935.....	718	602	64	12	40	-----	-----	-----	-----
Local unions:									
1956.....	94	55	2	2	18	4	-----	1	12
1955.....	94	55	2	2	18	4	-----	1	12
1954.....	93	54	2	2	18	4	-----	1	12
1953.....	93	54	2	2	18	4	-----	1	12
1952.....	93	54	2	2	18	4	-----	1	12
1951.....	93	54	2	2	18	4	-----	1	12
1950.....	93	54	2	2	18	4	-----	1	12
1945.....	80	48	2	1	18	4	-----	-----	7
1940.....	65	40	2	1	15	2	-----	-----	5
1935.....	81	91	-----	-----	-----	-----	-----	-----	-----

TABLE 9.—Cases docketed and disposed of by the National Railroad Adjustment Board, fiscal years 1935-56, inclusive

ALL DIVISIONS

Cases	22-year period, 1935-56	1956	1955	1954	1953	1952	1951
Open and on hand at beginning of period.....		3,724	3,311	3,388	4,717	3,855	3,548
New cases docketed.....	46,188	2,409	1,718	1,601	2,090	2,815	2,027
Total number of cases on hand and docketed.....	46,188	6,133	5,029	4,989	6,807	6,670	5,575
Cases disposed of.....	41,481	1,426	1,305	1,678	3,419	1,953	1,720
Decided without referee.....	10,456	186	141	139	197	184	258
Decided with referee.....	16,042	740	767	772	1,181	1,335	1,217
Withdrawn.....	14,983	500	397	767	2,041	434	245
Open cases on hand close of period.....	4,707	4,707	3,724	3,311	3,388	4,717	3,855
Heard.....	1,451	1,451	809	800	750	4,190	904
Not heard.....	3,256	3,256	2,915	2,511	2,638	527	2,951

FIRST DIVISION

Cases	22-year period, 1935-56	1956	1955	1954	1953	1952	1951
Open and on hand at beginning of period.....		3,014	2,798	2,825	4,186	3,472	3,167
New cases docketed.....	33,833	780	946	1,000	1,431	2,027	1,415
Total number of cases on hand and docketed.....	33,833	3,794	3,744	3,825	5,617	5,499	4,582
Cases disposed of.....	30,875	836	730	1,027	2,792	1,313	1,110
Decided without referee.....	8,802	156	83	76	155	128	221
Decided with referee.....	8,757	320	308	237	658	802	701
Withdrawn.....	13,316	360	339	714	1,979	383	188
Open cases on hand close of period.....	2,958	2,958	3,014	2,798	2,825	4,186	3,472
Heard.....	295	295	296	403	289	3,796	626
Not heard.....	2,663	2,663	2,718	2,395	2,536	390	2,846

SECOND DIVISION

Cases	22-year period, 1935-56	1956	1955	1954	1953	1952	1951
Open and on hand at beginning of period.....		67	61	54	66	57	31
New cases docketed.....	2,433	398	183	123	109	110	95
Total number of cases on hand and docketed.....	2,433	465	244	177	175	167	126
Cases disposed of.....	2,153	185	177	116	121	101	69
Decided without referee.....	634	11	23	31	16	19	11
Decided with referee.....	1,143	112	132	73	99	73	51
Withdrawn.....	376	62	22	12	6	9	7
Open cases on hand close of period.....	280	280	67	61	54	66	57
Heard.....	183	183	40	51	39	34	49
Not heard.....	97	97	27	10	15	32	8

TABLE 9.—Cases docketed and disposed of by the National Railroad Adjustment Board, fiscal years 1935-56, inclusive—Continued

THIRD DIVISION

Cases	22-year period, 1935-56	1956	1955	1954	1953	1952	1951
Open and on hand at beginning of period.....	-----	616	428	477	417	306	328
New cases docketed.....	8,794	1,170	530	404	463	575	459
Total number of cases on hand and docketed.....	8,794	1,786	958	881	880	881	787
Cases disposed of.....	7,339	331	342	453	403	464	481
Decided without referee.....	780	11	31	24	19	30	31
Decided with referee.....	5,452	253	290	396	344	401	420
Withdrawn.....	1,107	67	21	33	40	33	40
Open cases on hand close of period.....	1,455	1,455	616	428	477	417	306
Heard.....	962	962	455	332	405	324	221
Not heard.....	493	493	161	96	72	93	85

FOURTH DIVISION

Cases	22-year period, 1935-56	1956	1955	1954	1953	1952	1951
Open and on hand at beginning of period.....	-----	27	24	32	48	20	22
New cases docketed.....	1,128	61	59	74	87	103	58
Total number of cases on hand and docketed.....	1,128	88	83	106	135	123	80
Cases disposed of.....	1,114	74	56	82	103	75	60
Decided without referee.....	240	8	4	8	7	7	5
Decided with referee.....	690	55	37	66	80	59	45
Withdrawn.....	184	11	15	8	16	9	10
Open cases on hand close of period.....	14	14	27	24	32	48	20
Heard.....	11	11	18	14	17	36	8
Not heard.....	3	3	9	10	15	12	12

