

Thirty-Sixth
ANNUAL REPORT OF THE
NATIONAL
MEDIATION
BOARD

INCLUDING
THE REPORT OF THE
NATIONAL RAILROAD
ADJUSTMENT BOARD



For the Fiscal Year Ended June 30, 1970

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NATIONAL MEDIATION BOARD

Fiscal Year Ended June 30, 1970

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

LEVERETT EDWARDS, *Member*

GEORGE S. IVES, *Member*

THOMAS A. TRACY, *Executive Secretary*

C. ROBERT ROADLEY, *Assistant Executive Secretary*

LETTER OF TRANSMITTAL

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

*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 Thirty-sixth Annual Report of the National Mediation Board for the fiscal year ended June 30, 1970 together with the annual report of the National Railroad Adjustment Board, as required by Section 3, first (w), of the same act.

GEORGE S. IVES, *Chairman.*

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I. SUMMARY AND OBSERVATIONS

This report summarizes the activity of the National Mediation Board in its work of administering the Railway Labor Act during the fiscal year ending June 30, 1970. This report also includes a summary of the activities of the National Railroad Adjustment Board for the same period.

The Railway Labor Act is the Federal legislation specifically designed to establish a code of procedure for handling labor relations in the vital rail and air transportation industries. The statute provides a complete set of tools to be used in achieving industrial peace at all levels of negotiations.

These procedures include in the first instance a requirement that the parties directly negotiate in an effort to resolve differences which may arise in making new agreements or revising existing agreements. Subsequent steps include assistance to the parties through the mediatory services of the National Mediation Board, final and binding arbitration by an impartial neutral person, and, in certain instances, investigation and recommendation by a Presidential board.

Procedures are available to dispose of disputes involving the interpretation or application of existing agreements between the parties.

All of these tools are available for use by the parties in finding a solution to their own labor relations problems. Providing tools, however, does not in itself assure a peaceful resolution of the differences between the parties. The procedures of the Railway Labor Act provide the means by which the parties may reach a settlement of their problems but the duty of the parties to make their own decisions is not usurped by the act. The act should not be used as a shield by the parties to avoid their duties and responsibilities to the public to settle promptly all disputes relating to making and maintaining agreements concerning rates of pay, rules, and working conditions of employees. The parties themselves have an obligation to conduct their labor relations in a manner that will prevent interruption to transportation services so vital to the needs of the public and the general welfare of the Nation.

During fiscal year 1970, the major efforts of the Board were devoted to disputes arising out of proposals for term revisions of collective bargaining contracts on trunkline air carriers covering airline mechanics and related personnel and disputes involving the 1968 wage and rules change proposals of Standard Railway Labor Organizations representing "Shopcraft" employees of the major railroads of the country.

Agreements having industrywide applications were completed during the fiscal year, between major rail carriers and six organizations representing "Shopcraft" employees. The settlements provided for a generally uniform "pattern" with respect to wage increases, certain "fringe benefits" and a uniform contract term extending until December 31, 1970. Certain other contract improvements and revisions were also included in these agreements.

The 1970 wage and rules movement of six other Standard Railway

Labor Organizations (two representing operating employees and four representing non-operating employees) were being progressed through the procedures of the Act at the close of the fiscal year.

As outlined in detail in "Items of Special Interest" in Chapter I of the Thirty-fifth Annual Report of the National Mediation Board, other disputes of particular significance to the railroad industry have been progressed through the procedures of the Act during the past fiscal year. These disputes relate to proposals for the manning of locomotives and the number of employees to be used in road and yard train operations.

The services of a private mediator had been obtained to assist the parties in negotiation of the "fireman-manning" issue and as of the close of the past fiscal year this activity was still in progress. As for the road and yard train "crew consist" issue, several more settlements were reached on individual rail carriers during the past fiscal year.

The major disputes in the airline industry during the fiscal year involved negotiations of agreements covering rates of pay, rules, and working conditions involving mechanics and related employees. Contracts on most of the major trunkline air carriers expired on December 31, 1968, precipitating negotiations throughout the past fiscal year. Several of these disputes were settled in direct negotiations while others were settled with the assistance of mediation, the most recent being United Air Lines and Trans World Airlines. A point of interest is the common expiration date of December 1971 in most of these contracts covering airline mechanics and related personnel.

During and shortly after the close of the past fiscal year, disputes arose in connection with the negotiation of contracts covering rates of pay, rules, and working conditions of flight personnel of the airlines. An issue which injected new challenges and complexity in these negotiations was the introduction into service shortly after January 1969 of the Boeing 747 "jumbo jet" equipment by many of the Nation's air carriers. Another contentious problem which is in various stages of settlement on different carriers is the manning or crew consist problem on the Boeing 737 aircraft.

Disputes involving wages and other monetary items have become progressively more contentious during the past fiscal year due to the continuing rise in the cost of living and this factor, more than any other, has made settlements more difficult to reach. The continuing rise in the Consumer Price Index has made proposals for cost of living adjustments a significant factor in most of the negotiations, in addition to requests for substantial increases in the basic hourly pay scales. Most, if not all, of the agreements reached were submitted to the employees for ratification and, as a result of being rejected, some were brought back to the bargaining table for further adjustment.

It is the continuing hope of the Board that the parties will reexamine their respective responsibilities to each other and the public in a forthright effort to compose their differences through the process of free collective bargaining as contemplated by the Act.

Railway Labor Act—Development

The 1926 Railway Labor Act encompassed proposals advanced by representatives of management and labor outlining comprehensive procedures and methods for the handling of labor disputes founded upon practical experience gained by the parties under many previous laws and regulations in this field.¹

¹ Act of 1888; Erdman Act, 1898; Newlands Act, 1913; labor relations under Federal control 1917-20; Transportation Act of 1920.

Because of the importance of the transportation service provided by the railroads and because of the peculiar problems encountered in this industry, special and separate legislation was enacted to avoid interruptions to interstate commerce as a result of unsettled labor disputes.

In 1934 the original act was amended and supplemented in important procedural respects. Principally, these amendments provided for: (1) Protection of the right of employees to organize for collective bargaining purposes; (2) a method by which the National Mediation Board could authoritatively determine and certify the collective bargaining agent to represent the employees; and (3) a positive procedure to insure disposition of grievance cases, or disputes involving the interpretation or application of the terms of existing collective-bargaining agreements by their submission to the National Railroad Adjustment Board.

The amended act of 1934 retained the procedures in the 1926 act for the handling of controversies between carriers and their employees growing out of proposals to make or change collective bargaining agreements concerning rates of pay, rules, or working conditions. The procedures outlined in the act for handling this type of dispute are: Conferences by the parties on the individual properties in an effort to settle the dispute, mediation by the National Mediation Board, voluntary arbitration, and, in special cases, emergency board procedure.

The National Railroad Adjustment Board was created in 1934 by section 3 of the amended act for the purpose of resolving disputes arising out of grievances or out of the interpretation or application of collective bargaining agreements in the railroad industry. Disputes of this type are sometimes referred to as "minor disputes."

The amended act provided that either party could process a "minor dispute" to the newly created adjustment board for final determination, without, as previously required, the necessity of securing the consent or concurrence of the other party to have the controversy decided by a special form of arbitration.²

The airlines and their employees were brought within the scope of the act on April 10, 1936, by the addition of title II. All of the procedures of title I of the act, except section 3 (National Railroad Adjustment Board procedure) were made applicable to common carriers by air engaged in interstate commerce or transporting mail for or under contract with the U.S. Government. Special provisions, however, were made in title II of the act for the handling of disputes arising out of grievances or out of the interpretation or applications of existing collective bargaining agreements in the airline industry.

The act was amended January 10, 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 (sec. 2, eleventh) also permitted the making of agreements providing for the checkoff of union dues, subject to specific authorization of the individual employee.

Section 4, First of the Act, which deals with the composition of the Board, was amended on August 31, 1964, by Public Law 542, 88th Congress, to provide that members of the Mediation Board, who are appointed for three year terms expiring on July 1, shall continue to serve upon the expiration of the term of office until a successor is appointed and shall have qualified.

² By amendment June 20, 1966 (Public Law 89-456), "minor disputes" may be processed to special boards of adjustment on individual carriers.

On June 20, 1966, Section 3, Second of the Act, was amended by Public Law 456, 89th Congress, to provide for the establishment of special boards of adjustment upon the request either of representatives of employees or of carriers to resolve "minor" disputes otherwise referable to the National Railroad Adjustment Board. The principal purpose of this amendment was to alleviate the large backlog of undecided claims pending before the National Railroad Adjustment Board. In addition, the Act was amended by Public Law 456, to provide that judicial review of an order of the National Railroad Adjustment Board and of the special boards of adjustment established by the above-referred to law would be limited to the determination of questions traditionally involved in arbitration litigation—whether the tribunal had jurisdiction of the subject, whether the statutory requirements were complied with, and whether there was fraud or corruption on the part of a member of the tribunal.

Section 3, First of the Act, was amended by Public Law 234, 91st Congress, on April 23, 1970, in that the composition of the First Division of the National Railroad Adjustment Board was adjusted to reflect the merger of four of the five traditional operating employee organizations into a single new organization, the United Transportation Union. Under the provisions of this amendment, the membership of the Adjustment Board was cut from thirty-six members to thirty-four members, seventeen selected by the carriers and seventeen selected by the labor organizations, national in scope. The First Division membership was reduced to eight, four selected by the carriers and two each by the national operating labor organizations.

Purposes of Act

The general purposes of the act are described in section 2 as follows:

(1) To avoid any interruption to commerce or to the operation of any carrier engaged therein; (2) to forbid any limitation upon freedom of association among employees or any denial, as a condition of employment or otherwise, of the right of employees to join a labor organization; (3) to provide for the complete independence of carriers and of employees in the matter of self-organization; (4) to provide for the prompt and orderly settlement of all disputes concerning rates of pay, rules, or working conditions; (5) to provide for the prompt and orderly settlement of all disputes growing out of grievances or out of the interpretation or application of agreements covering rates of pay, rules, or working conditions.

To promote the fulfillment of these general purposes, legal rights are established and legal duties and obligations are imposed on labor and management. The act provides "that representatives of both sides are to be designated by the respective parties without interference, influence or coercion by either party over the designation by the other" and "all disputes between a carrier or carriers and its or their employees shall be considered and if possible decided with all expedition in conference between authorized representatives of the parties." The principle of collective bargaining is aided by the provision that "it shall be the duty of all carriers, their officers, agents, and employees to exert every reasonable effort to make and maintain agreements concerning rates of pay, rules, and working conditions."

Duties of the Board

In the administration of the act, two major duties are imposed on the National Mediation Board, viz.:

(1) The mediation of disputes between carriers and the labor

organizations representing their employees, relating to the making of new agreements, or the changing of existing agreements, affecting rates of pay, rules, and working conditions, after the parties have been unsuccessful in their at-home bargaining efforts to compose their differences. These disputes are sometimes referred to as "major disputes." Disputes of this nature hold the greatest potential for interrupting commerce.

(2) The duty of ascertaining and certifying the representative of any craft or class of employees to the carriers after investigation through secret-ballot elections or other appropriate methods of employees' representation choice. This type of dispute is confined to controversies among employees over the choice of a collective bargaining agent. The carrier is not a party to such disputes. Under section 2, ninth, of the act the Board is given authority to make final determination of this type of dispute.

In addition to these major duties, 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 requested to sit with System and Special Boards of Adjustment, also Public Law Boards; certain duties prescribed 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 notifying the President of the United States when labor disputes arise which in the judgment of the Board threaten substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service. In such cases the President may in his discretion appoint an emergency board to investigate and report to him on the dispute.

Labor Disputes Under the Railway Labor Act

The Railway Labor Act provides procedures for the consideration and progression of labor disputes in a definite and orderly manner. Broadly speaking, these disputes fall into three general groups: (1) Representation disputes, controversies arising among employees over the choice of a collective bargaining representative; (2) major disputes, controversies between carriers and employees arising out of proposals to make or revise collective bargaining agreements; and (3) minor disputes, controversies between carriers and employees over the interpretation or application of existing agreements.

Representation Disputes

Experience during the period 1926 and 1934 showed that the absence of a provision in the law of a definite procedural method to impartially determine the right of the representative at the bargaining table to act as spokesman on behalf of the employees was a deterrent to reaching the merits of proposals advanced and often frustrated the collective bargaining processes. To remedy this deficiency in the law, section 2 of the act was amended in 1934 so that in case a dispute arose among a carrier's employees as to who represented the employees, the National Mediation Board could investigate and determine the representation desires of employees with finality.

In order to accomplish this duty, the Board was authorized to take a secret ballot of the employees involved or to utilize any other appropriate method of ascertaining the duly designated and authorized representative of the employees. The Board upon completion of its investigation certifies the name of the representative and the carrier then is required to treat with that representative for the purposes of the act. Through this procedure a definite determination is made as to who may represent the employees at the bargaining table.

Major Disputes

The step-by-step procedure of direct negotiation, mediation, arbitration, and emergency boards for handling proposals to make, amend, or revise agreements between labor and management incorporated in the 1926 act was retained by the 1934 amendments. This procedure contemplates that direct negotiations between the parties will be initiated by a written notice by either of the parties at least 30 days prior to the date of the intended change in the agreement. Acknowledgment of the notice and arrangements for the conference by the parties on the subject of the notice is made within 10 days. The conference must begin within the 30 days provided in the notice. In this manner direct negotiations between the parties commence on a definite written proposal by either of the parties. Those conferences may continue from time to time until a settlement or deadlock is reached. During this period and for a period of 10 days after the termination of conference between the parties the act provides the "status quo will be maintained and rates of pay, rules, or working conditions shall not be altered by the carrier."

There are no accurate statistics to indicate how many disputes have been settled at this level by the parties without outside assistance; however, each year the Board receives well over a thousand amendments or revisions of agreements. Such settlements outnumber those that are made with the assistance of the Board, and clearly indicate the effectiveness of the first step of the procedures outlined in the act that it shall be the duty of carriers and employees to exert every reasonable effort to make and maintain agreements concerning rates of pay, rules, and working conditions. In the event that the parties do not settle their problem in direct negotiations either party may request the services of the National Mediation Board in settling the dispute or the Board may proffer its services to parties. In the event this occurs, the "status quo" continues in effect and the carrier shall not alter the rates of pay, rules, or working conditions as embodied in existing agreements while the Board retains jurisdiction. At this point the Board, through its mediation services, attempts to reconcile the differences between the parties so that a mutually acceptable solution to the problem may be found. The mediation function of the Board cannot be described as a routine process following a predetermined formula. Each case is singular and the procedure adopted must be fitted to the issue involved, the time and circumstances of the dispute, and personality of the representatives of the parties. It is here that the skill of the mediator, based on extensive knowledge of the problems in the industries served, and the accumulated experience the Board has acquired is put to the test. In mediation the Board does not decide how the issue between the parties must be settled, but it attempts to lead the parties through an examination of facts and alternative considerations which will terminate in an agreement acceptable to the parties.

When the best efforts of the Board have been exhausted without a settlement of the issue in dispute the law requires that the Board urge the parties to submit the dispute to arbitration for final and binding settlement. This is not compulsory arbitration but a freely accepted procedure by the parties which will conclusively dispose of the issue at hand. The parties are not required to accept the arbitration procedure; one or both parties may decline to utilize this method of disposing of the dispute. But if the parties do accept this method of terminating the issue the act provides in sections 7, 8, and 9 a comprehensive arrangement by which the arbitration proceedings will be conducted. The Board has always felt that arbitration should be used by the parties more frequently in disposing of disputes which have not been settled in mediation.

In the event that mediation fails and the parties refuse to arbitrate their differences the Board notifies both parties in writing that its mediatory efforts have failed and for 30 days thereafter, unless in the intervening period the parties agree to arbitration, or an emergency board shall be created under section 10 of the act; no change shall be made in the rates of pay, rules, or working conditions or established practices in effect prior to the time the dispute arose.

At this point it should be noted that the provisions of section 5 of the act permit the Board to proffer its services in case any labor emergency is found to exist at any time. The Board under this section of the act is able under its own motion to promptly communicate with the parties when advised of any labor conflict which threatens a carrier's operations and use its best efforts, by mediation, to assist the parties in resolving the dispute. The Board has found that this section of the act is most helpful in averting what otherwise might become serious problems.

The final step in the handling of major disputes is not one which is automatically invoked when mediation is unsuccessful. Section 10 of the act pertaining to the establishment of emergency boards provides that if a dispute has not been settled by the parties after the various provisions of the act have been applied and if, in the judgment of the National Mediation Board, the dispute threatens substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service, the President shall be notified, who may thereupon, in his discretion, create a board to investigate and report respecting such dispute. The law provides that the board shall be composed of such number of persons as seems desirable to the President. Generally, a board of three is appointed to investigate the dispute and report thereon. The report must be submitted within 30 days from the date of appointment and for that period and 30 days thereafter, no change shall be made by the parties to the controversy in the conditions out of which the dispute arose. This latter period permits the parties to consider the report of the board as a basis for settling the dispute.

During the 36 years the National Mediation Board has been in existence, 176 emergency boards have been created. In most instances the recommendations of the boards have been accepted by the parties as a basis for resolving their disputes without resorting to a final test of economic strength. In other instances, the period of conflict has been shortened by the recommendations of the boards which narrowed the area of disagreement between the parties and clarified the issues in dispute.

In the early days of World War II, the standard railway labor organizations, as represented by the Railway Labor Executives' Association,

and the carriers agreed that there should be no strikes or lockouts and that all disputes would be settled by peaceful means. The procedure under the Railway Labor Act presupposes strike ballots and the fixing of strike dates as necessary preliminaries to any threatened interruption to interstate commerce and the appointment of an emergency board by the President. The Railway Labor Executives' Association suggested certain supplements to the procedures of the act for the peaceful settlement of all disputes between carriers and their employees for the duration of the war. As a result of these suggestions the National Railway Labor Panel was created by Executive Order 9172, May 22, 1942. The order provided for a panel of nine members appointed by the President. The order provided that if a dispute concerning changes in rates of pay, rules, or working conditions was not settled under the provisions of sections 5, 6, 7, 8, or 9 of the Railway Labor Act, the duly authorized representatives of the employees involved could notify the chairman of the panel of the failure of the parties to adjust the dispute. If, in his judgment the dispute was such that if unadjusted even in the absence of a strike vote it would interfere with the prosecution of the war, the chairman was empowered by order to select from the panel three members to serve as an emergency board to investigate the dispute and report to the President.

The National Railway Labor Panel operated from May 22, 1942, to August 11, 1947, when it was discontinued by Executive Order 9883. During the period of its existence, the panel provided 51 emergency boards. Except for a few cases, the recommendations of these boards were accepted by the parties in settlement of dispute.

Minor Disputes

Agreements made in accordance with the procedure outlined above for handling major disputes provide the basis on which the day to day relationship between labor and management in the industries served by the Railway Labor Act are governed. In the application of these agreements to specific factual situations, disputes frequently arise as to the meaning and intent of the agreement. These are called minor disputes.

The 1926 act provided that carriers or groups of carriers and their employees would agree to the establishment of boards of adjustment composed equally of representatives of labor and management to resolve disputes arising out of interpretation of agreements. The failure on the part of the parties to agree to establish boards of adjustment negated the intent of this provision of the law.

In 1934 the Railway Labor Act was amended so as to establish a positive procedure for handling minor disputes. Under the amended law, grievances or claims that the existing employment agreement have been violated are first handled under the established procedure outlined in the agreement and if not disposed of by this method they may be submitted for a final decision to the adjustment board. The act states that these disputes "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 National Railroad Adjustment Board with a full statement of facts and all supporting data bearing upon the dispute."

In 1966, section 3 of the act was amended to provide a procedure for establishment of special boards of adjustment on individual railroads to

dispose of "minor disputes" on demand of the railroad or the representative of a craft or class of employees of such railroad. Prior to this amendment the statute did not make provision for establishing by unilateral action special boards of adjustment on the individual railroads for disposition of "minor disputes." Such boards could only be established by agreement between the parties. Special boards of adjustment established under this amendment are designated as PL boards to distinguish them from other special boards of adjustment.

The National Railroad Adjustment Board, with headquarters in Chicago, Ill., is composed of equal representation of labor and management who if they cannot dispose of the dispute may select a neutral referee to sit with them and break the tie or in the event they cannot agree upon the referee the act provides that the National Mediation Board shall appoint a referee to sit with them and dispose of the dispute. The Supreme Court has stated that the provisions dealing with the adjustment board were to be considered as compulsory arbitration in this limited field. (*Brotherhood of Railroad Trainmen v. Chicago River and Indiana Railroad Co.*, 353 U.S. 30.) (1957)

SUMMARY

As will be seen from the foregoing outline, the Railway Labor Act provides a comprehensive system for the settlement of labor disputes in the railroad and airline industries. The various principles and procedures of that system were incorporated in it only after they had provided effective and necessary experience under previous statutes.

The first annual report of the National Mediation Board for the fiscal year ending June 30, 1935, stated:

Whereas the early legislation for the railroads * * * made no attempt to differentiate labor controversies but treated them as if they were all of a kind, the amended Railway Labor Act clearly distinguishes various kinds of disputes, provides different methods and principles for setting the different kinds, and sets up separate agencies for handling the various types of labor disputes. These principles and methods, built up through years of experimentation, provide a model labor policy, based on equal rights and equitable relations.

The statute is based on the principle that when a dispute involves the making or changing of a collective bargaining agreement under which the parties must live and work, an agreed upon solution is more desirable than one imposed by decision. This principle preserves the freedom of contract in conformity with the freedom inherent in our system of government.

The design of the act is to place on the parties to any dispute of this character the responsibility to weigh and consider the merit and practicality of their proposal and to hear and consider opposing views and offers of compromise and adjustment—and time to reflect on the consequences to their own interest and the interest of the public of any other course than a peaceful solution of their problems.

Procedures in themselves do not guarantee mechanical simplicity in disposing of industrial disputes, which the Supreme Court of the United States has aptly described as "a subject highly charged with emotion." Good faith efforts of the parties and a will to solve their own problems are essential ingredients to the maintenance of peaceful relations and uninterrupted service.

As with any system or plan which seeks to retain freedom of contract and the right to resort to economic force, there have been periods of crisis under the act, but in the aggregate, the system has worked well—

it has settled large numbers of disputes both at the local and national level with a minimum of disturbance to the public.

It cannot, however, be overemphasized that whatever the success that has been achieved in maintaining industrial peace in the industries served by the Railway Labor Act has resulted from the cooperation of carriers and organizations in solving their own problems. The future success of the law depends upon continued respect for the processes of free collective bargaining and consideration of the public interest involved.

Railroad Industrywide Bargaining

In the railroad industry, there has been a practice followed for many years by agreement between representatives of management and labor to conduct collective bargaining negotiations of periodic wage and rules requests on an industrywide basis. These are generally referred to as concerted or national wage and rules movements.

In the initiation of such movements, the labor organizations concerned representing practically all operating railroad employees on the major trunkline carriers and other important rail transportation facilities, will serve proposals on the individual carriers throughout the country. These proposals also include a request that if the proposals are not settled on the individual property, the carrier join with other carriers receiving a like proposal in authorizing a carriers' conference committee to represent it in handling the matter in negotiations at the national level.

Conversely, counterproposals or new proposals for wage adjustments or revision of collective bargaining contract rules, which the railroads desire to progress for negotiations at the national level, are served by the officials of the individual carriers on the local representatives of labor organizations involved.

When the parties are agreeable to negotiate on a national basis, three regional carriers' conference committees are usually established with authority to represent the principal carriers in the Eastern, Western, and Southeastern territories. The carriers have established a National Railway Labor Conference on a permanent basis. The employees involved are represented by national conference committees established by the labor organizations.

Generally, the labor organizations, representing the vast majority of nonoperating employees (those not directly involved in the movement of trains, such as shop crafts, maintenance-of-way and signal forces, clerical and communication employees) progress a uniform national wage and rules movement, although the organizations representing certain nonoperating employees, such as yardmasters and train dispatchers, generally progress their national wage and rule movements separately.

The two labor organizations representing practically all the major railroads' operating employees (those engaged directly in the movement of trains, such as locomotive engineers, locomotive firemen, road conductors, road trainmen, and yardmen), progress their wages and rules proposals for national handling in the same manner but separately, as a general rule. In some instances, the proposals of these organizations will be substantially similar in the amount of wage increases or improvement in working conditions requested. In other instances in the past, there has been a variety of proposals by some of these organizations, differing particularly in the number and character of rules changes proposed. These instances have usually produced proposals by the carriers of a broad scope for changes in the wage structure and working rules, ap-

plicable to operating employees. The experience in handling has been generally satisfactory when the requests are relatively uniform as to wages or involve only a few rules proposals. On the other hand, numerous proposals for changes in rules, and those seeking substantial departure from existing rules, produce controversies extremely difficult to compose.

The benefit of negotiations, national in scope, is that when settlement is effected, it establishes a "pattern" for the entire industry, extending generally to all of the major carriers of the country. Other important rail transportation facilities and smaller carriers which do not participate actively in the national negotiations will, as a rule, adopt the same or similar pattern. Thus, a single negotiating proceeding, if successful, disposes of problems which otherwise would probably result in hundreds of serious disputes developing at the same time or closely following one another on the various railroads of the country.

1. STRIKES

Table 7, appendix C, of this report indicates a tabulation of nine work stoppages occurring in industries covered by the Railway Labor Act. Seven of these stoppages occurred in the airline industry and two occurred in the railroad industry.

Work stoppages of short duration (less than 24 hours) or those involving a few employees which were settled without the intervention of this Board, are not included in this report.

A brief summary of the work stoppages which occurred during the fiscal year are as follows:

A-8572—Piedmont Airlines, Inc., and Air Line Pilots Association

This strike, which began on July 21, 1969, and ended on August 18, 1969, involved some 400 pilots. The issue was crew consist and cockpit operations on the B-737 aircraft, i.e., whether the flight crew should consist of three or two men. The strike ended on August 18, 1969, with the issuance of a court order directing that the crew should consist of three men unless changed in negotiations. This matter is still the subject of negotiations and continuing mediation.

A-8544—Western Airlines, Inc. and the International Brotherhood of Teamsters (Airline Division)

A work stoppage of 17 days occurred on this trunkline carrier beginning on July 29, 1969, when approximately 1,800 mechanics and related employees struck after voting down a proposed new 3-year contract calling for improved wages and benefits. The strike ended on August 14, 1969, with the signing of an agreement reached through mediation.

A-8573—Pan American World Airways, Inc. and International Brotherhood of Teamsters (Airline Division)

A strike by some 7,500 clerical and related employees shut down the operations of this largest U.S. overseas carrier for 4 days beginning on August 8, 1969. The issues involved a complete re-negotiation of the agreement following the litigious certification of the Teamsters as bargaining representative for this group of employees in February 1969. Following intensive mediation, an agreement was reached ending the strike on August 11, 1969.

A-8557—Union Railroad Company and United Steelworkers of America

This work stoppage began on September 27, 1969, as 3 local unions of the Steelworkers struck this subsidiary of United States Steel Corpora-

tion over wages and rules. The strike ended on October 8, 1969, with the signing of an agreement after mediation in the public interest.

A-8548—Los Angeles Airways, Inc. and Air Line Pilots Association

This dispute over the renegotiation of a pilot's agreement shut down operations of this local service air carrier on October 20, 1969. The parties reached agreement in direct negotiations and operations resumed on April 24, 1970.

A-8552—Aliquippa and Southern Railroad and United Transportation Union

A work stoppage of 3 days duration occurred on this steel-haul railroad beginning on November 7, 1969. Agreement was reached with the assistance of NMB mediators and work resumed Nov. 11, 1969.

A-8569—Monogahela Connecting Railroad and United Transportation Union

This case, handled concurrently with A-8552, above, involved the same 3-day work stoppage and was concluded by mediation agreement on November 11, 1969, which provided for changes in wages and rules.

A-8610—National Airlines, Inc. and Air Line Employees Association

The background and disposition of this dispute is described in detail in Items of Special Interest, *above*, pp. 14.

A-8655—Ozark Airlines, Inc. and Aircraft Mechanics Fraternal Assoc.

This strike involved some 450 mechanics and related employees and shut down operations of this carrier on April 19, 1970. Following mediation an agreement was reached which ended the strike on April 24, 1970.

A-8748—World Airways, Inc. and International Brotherhood of Teamsters

A work stoppage of 50 days duration occurred on the above air carrier, beginning on May 15, 1970, and ending on July 4 when an agreement between the parties was reached following mediation in the public interest. The dispute involved failure of the parties to reach agreement in proposed changes in rates of pay, rules and working conditions for pilots, flight engineers and navigators.

A-8773—World Airways, Inc. and International Brotherhood of Teamsters

This dispute handled concurrently with A-8748 above, involved flight attendants and the same 50 day strike. Further, mediation was conducted by the National Mediation Board, in the public interest, while the dispute was in progress and the dispute was settled by the execution of a mediation agreement on July 4, 1970. The agreement was ratified by the employees and the carrier's services restored promptly thereafter.

2. THREATENED STRIKES

Section 10 of the Railway Labor Act provides that if, in the judgment of the National Mediation Board, a dispute not settled by the mediation and arbitration procedures of the act, threatens substantially to deprive any section of the country of essential transportation, the Board shall notify the President who, in his discretion, may create a board to investigate and report respecting such dispute.

During the past fiscal year only one emergency board was created by Executive order of the President after notification by the Board pursuant to section 10 of the act.

The report of Emergency Board No. 176 is summarized in chapter V of this report.

No. 176 (E.O. 11486), issued Oct. 3, 1969. National Railway Labor Conference and the Eastern, Western, and Southeastern Carriers' Conference Committees and the International Association of Machinists and Aerospace Workers; the Sheet Metal Workers' International Association; the International Brotherhood of Electrical Workers; and the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers.

Section 5 of the act also provides a procedure for handling threatened strikes. Under this provision of the act the Mediation Board may proffer its services in case any labor emergency is found to exist at any time. The Board will, if the occasion warrants action under this provision, enter into an emergency situation which threatens to interrupt interstate commerce and endeavor to assist the parties in working out an arrangement which will dispose of the threat to rail or air transportation. However, failure or unwillingness of the parties to respond to the Board's concern after a proffer of arbitration can impede settlement and is inconsistent with their obligation to make and maintain agreements.

In some instances, the point at issue involves a "minor dispute" which is under the jurisdiction of the National Railroad Adjustment Board. In such instances the parties are urged to follow the established and recognized procedures for the adjudication of such matters. Special Boards of Adjustment and the procedures of the National Railroad Adjustment Board are available to dispose of "minor" disputes in the railroad industry. System Boards of Adjustment serve the same purpose for the airline industry.

Usually these emergency situations occur when a notice is issued by the employees that they intend to withdraw from the service of the carrier. Investigation often indicates, however, that the procedures of the act have not been exhausted when the notice of withdrawal from service by the employees is issued. Frequently, it is found that the notice procedures of section 6 of the act have not been followed, or that the act's mandate of direct negotiations has not been fulfilled.

The mediation and arbitration procedures of the act are available to handle "major" disputes in both industries. The scheme of the act is such that its orderly procedures should be followed step by step to a resolution of every dispute. The Board will offer its services to the parties and endeavor to work out a settlement of the differences between the parties. However, the Board does not look with favor upon those situations where a crisis is created without regard for the procedures of the act.

3. ITEMS OF SPECIAL INTEREST

New Labor Executives' Organization

On December 18, 1969, a new railroad labor executives' organization was formed to be known as the Congress of Railway Unions. The new group will represent approximately 80 percent of the work force on the Nation's railroads. The headquarters of the new organization will be established in Washington, D.C. The five unions to compose the new organization are: United Transportation Union; Brotherhood of Railway, Airline, and Steamship Clerks, Freight Handlers, Express and Station Employees; Brotherhood of Maintenance of Way Employees;

Joint Council of Dining Car Employees; and Seafarers International Union of North America.

Cooperative Agreement

A landmark agreement in the railroad industry—a product of negotiations between the Illinois Central and the United Transportation Union was signed on June 11, 1970. This agreement will become effective June 25th and remain in effect for a test period of 18 months. The agreement, in part, reads as follows:

This agreement is designed to create the machinery and the climate needed to alter the generally adverse conditions affecting both the Illinois Central Railroad and the railroad's employees since World War II toward change that will benefit both employees and the railroad's competitive ability.

This agreement is designed to provide a vehicle with which IC and UTU can make a serious, continuing effort to jointly resolve technological, institutional, economic, and competitive problems that directly and indirectly limit and restrict operating craft employment and the competitive effectiveness of IC.

IC and UTU believe that the program set forth will provide for orderly change; the parties believe such change essential.

This agreement provides for a joint commission of railroad and union officers to decide on experimental work and service policies needed to secure new business for the Illinois Central.

Major Disputes—Airlines

A-8497—National Airlines, Inc. and International Association of Machinists and Aerospace Workers

On December 16, 1968, the Board received an application for mediation filed by National Airlines, Inc., charging the International Association of Machinists and Aerospace Workers with failure to meet and/or engage in direct negotiations on section 6 notices filed by the organization under the date of October 31, 1968. The Board docketed this application as NMB Case No. A-8497.

Subsequently, a dispute erupted between the parties under section 3 of the act which culminated in the replacement of the work force by the carrier. This secondary dispute had the effect of hampering the Board's mediation efforts. The organization demanded the Board declare its effort to mediate a failure, and proffer arbitration under the act. The Board's failure to agree that mediation had failed, resulted in the IAM&AW filing suit in the U.S. District Court for the District of Columbia (Civil Action No. 466-69) to compel the Board to proffer arbitration.

On August 15, 1969, the District Court entered its judgment ordering the Board to proffer arbitration and discontinue its attempt to bring about a settlement of the controversy by mediation.

On appeal, the lower Court was reversed by the U.S. Court of Appeals for the District of Columbia (Nos. 23, 409 and 23, 412). In its decision, the Appeals Court made the following observation about the mediation process under the Railway Labor Act:

What is voluntary about mediation, including mediation under this Act, is the decision to accept or reject the result available from the mediation process. What is involuntary about mediation under this Act is the obligation to engage in the mediation process even though a party is not unreasonable from his point of view in his conviction that further mediation is futile. The court's inquiry cannot go beyond examination of the objective facts and determination thereon whether there is a reasonable possibility of conditions and circumstances (including attitudes and developments), available to the Board, consistent with the objective facts, sufficient to justify the Board's judgment that the possibility of settlement is strong enough to warrant

continuation of the mediation process. However skeptical of success the court may be it cannot obliterate even the slim chance of success that may ensue from exhaustion of the process entrusted by Congress to the Mediation Board. In this case the District Court took into account considerations that we think are inadmissible. We cannot conclude that if it had conducted an inquiry that was limited to the objective facts and confined by the narrow standard of review outlined herein that it would have been impelled to reach the conclusion that the mediation process had been exhausted.

The decision of the Court of Appeals was not appealed to the Supreme Court. Subsequent to this litigation, mediation was continued and the dispute was settled by mediation agreement dated April 23, 1970.

Major Disputes—Railroads

Case A-8563—*National Railway Labor Conference and the International Association of Machinists and Aerospace Workers; the Sheet Metal Workers International Union, the International Brotherhood of Electrical Workers; the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers*

On November 8, 1968, each of four shopcraft unions, the Machinists, the Boilermakers, the Electrical Workers and the Sheet Metal Workers, served upon each of the 128 Class I railroads identical notices proposing changes in general wage rates and other wage adjustments for those employees represented by the unions. As direct negotiations on the property and at the national level failed to produce agreement, the parties jointly, on April 10, 1969, applied for the services of the National Mediation Board. Mediation proved unsuccessful and on September 3, 1969, the Board relinquished jurisdiction of the dispute. Following the threat of a strike and lockout which, in the judgment of the Board, would have interrupted commerce to such a degree as to deprive a section of the country of essential transportation services, the President, on October 3, 1969, created Emergency Board No. 176 to investigate the dispute and report to him. The Emergency Board reported its failure to resolve the dispute to the President on November 2, 1969, and the provisions of the Railway Labor Act for solving major disputes were accordingly exhausted.

The shopcraft unions and the carriers nevertheless continued national bargaining with the assistance of the Department of Labor and the National Mediation Board; and finally on December 4, 1969, all of the parties' representatives initiated a "Memorandum of Understanding" setting forth the terms of an agreement, subject only to ratification by members of each of the shopcraft unions. Three of the four unions' membership ratified, but the Sheet Metal Workers balked at accepting a work rule permitting members of one shopcraft union to perform incidental work in another craft and refused to ratify. The agreement accordingly failed, since the unions had agreed among themselves that none would accept unless all accepted. Thus, failure of ratification precipitated a nationwide rail transportation emergency.

Next followed union preparations to strike selected carriers which were countered by legal action by the carriers, culminating in a District Court decision dated March 2, 1970, whereby the unions were enjoined from striking any selected carrier over this dispute. *Alton and Southern Ry. et al v. IAM et al, March 2, 1970 (D.C.D.C.)*. Thereupon the unions prepared for a nationwide strike of the 128 Class I railroads effective March 4, 1970. The strike was prohibited and the dispute finally resolved when the Congress of the United States assumed jurisdiction of the dispute and implemented the "Memorandum of Understanding" dated December

4, 1969, which previously had been accepted by the membership of three of the four unions involved. *P.L. 91-226, April 9, 1970.*

Court Decisions

Detroit and Toledo Shore Line Railroad Company v. United Transportation Union, 396 U.S. 142 (1969).

This Supreme Court decision is the landmark case on judicial interpretation of the so-called "status quo" provisions of section 6 of the Railway Labor Act. The pertinent part of section 6 provides:

"In every case where . . . the services of the Mediation Board have been requested by either party . . . rates of pay, rules, or working conditions shall not be altered by the carrier until the controversy has been finally acted upon . . . by the Mediation Board" 45 U.S.C. & 156 (1964).

The dispute arose when the carrier announced to the Brotherhood of Locomotive Fireman & Enginemen (BLF&E, now U.T.U. (F)) its intention to establish certain new outlying work assignments for employees represented by the organization. The union responded by filing a section 6 notice proposing an amendment in the collective bargaining agreement on this point and when the parties failed to agree between themselves the case came to the National Mediation Board.

While the case was pending before the Board, the carrier announced the establishment of an outlying assignment, whereupon the union withdrew from the mediation proceedings. A Special Board of Adjustment was convened to interpret the collective bargaining agreement on the outlying assignments issue and, on November 30, 1965, ruled that the Shore Line—BLF&E agreement did not prohibit the railroad from making the assignments.

Following the Special Board's ruling, the carrier again announced its intention to create new outlying assignments. The union again responded with a section 6 notice and the services of the Mediation Board subsequently were invoked. While Board proceedings were pending, the carrier definitely established the disputed work assignments and at this point the union threatened to strike. The carrier then brought this suit in the U.S. District Court to enjoin the union from carrying out an allegedly illegal strike. The union counterclaimed for an injunction prohibiting the Shore Line from establishing the outlying assignments on the ground that the status quo provision of section 6 prohibited a carrier from taking unilateral action altering "rates of pay, rules, or working conditions," while the dispute is pending before the National Mediation Board.

The District Court dismissed the railroad's complaint but it granted the injunction sought by the union restraining the carrier from establishing any new outlying assignments anywhere. The U.S. Court of Appeals for the Sixth Circuit affirmed the issuance of the injunction against the railroad. 401 F. 2d 368 (1968). The Supreme Court likewise affirmed in a 6-2 decision in which Chief Justice Burger joined Mr. Justice Harlan in a separate opinion concurring in part and dissenting in part.

The court ruled that the act's section 6 status quo provisions extend to the "actual, objective working conditions out of which the dispute arose." The court reasoned that if the status quo required by section 6 consisted only of the working conditions set forth in existing collective agreements, the primary objective of the act—preventing strikes—would not be fulfilled. Thus, disputed working conditions cannot be unilaterally changed during the pendency of Railway Labor Act proceedings, even though the conditions are not covered in an existing collective agreement between the parties.

*International Association of Machinists and Aerospace Workers AFL-CIO
v. National Mediation Board et al, National Airlines, Inc.* 425 F. 2d
527 (1970) (Dist. of Col. Cir.)

This dispute commenced with an exchange of section 6 notices between the carrier and the union on October 30, 1968. When direct negotiations proved unsuccessful, the carrier applied for the services of the National Mediation Board and the Board docketed the dispute on December 23, 1968.

Shortly thereafter the Company and the Union became involved in a controversy concerning an order issued by the carrier reducing the number of men needed to taxi an aircraft from three to two. The controversy led to the use of self-help by both parties to the dispute. The course of events, fully set out in the opinion of the Fifth Circuit in *National Airlines, Inc. v. IAM&AW*, 416 F. 2d 998 may be summarized as a sequence of escalating responses: the refusal of three employees to taxi aircraft, their discharge by the carrier, a wildcat strike by the employees, and the carrier's firing of approximately 940 workers who were members of IAM&AW.

On January 27, 1969, the President of the IAM&AW wired the Board to protest the Board's failure to assign a mediator and to insist that it immediately "make a proffer of arbitration of this dispute." On February 26, 1969, the Union commenced an action in the District Court and on March 3 moved for a preliminary injunction to require the Board to assign a mediator. Prior to a ruling on this motion the Board assigned mediators to assist the parties but, on March 11, 1969, the Union again requested a proffer of arbitration. On March 24, 1969, the Board advised the parties that mediation was being temporarily recessed so that the status of the case could be reviewed. Finally, on April 23, 1969, the Union amended its complaint in the District Court to seek an order directing the Board to proffer arbitration.

On August 15, 1969, the District Court entered its judgment ordering the Board to proffer arbitration and discontinue its attempt to bring about a settlement of the controversy by mediation. The Board appealed this ruling on the ground that the courts have traditionally and correctly declined to intrude into the special machinery established by the Railway Labor Act for the peaceful settlement of carrier-labor disputes. This view was upheld by the U.S. Court of Appeals for the District of Columbia Circuit, which reversed and remanded the District Court judgment with instructions to dismiss the complaint of the Union.

In deciding that the Board's decision in matters of mediation are presumptively valid unless clearly and compellingly demonstrated to be an abuse of its powers, the Court stated that "there would be grave damage to a process of major significance in the maintenance of industrial peace in the nation's strategic transportation industry if the courts assumed that this agency was subject to the same kind of judicial scrutiny as is provided in the case of other officials and agencies." This is not to say that the Board is omniscient but rather that in the sensitive functions of its mediation role under the Railway Labor Act its judgment can be set aside by the courts only in the rare and unusual case where a complaining party shows by objective facts that the Board's action is patently arbitrary.

The court stated further that "a key element of the mediation process that the legislature contemplated is a process essentially private rather than public in nature."

International Association of Machinists and Aerospace Workers et al v. National Railway Labor Conference; Alton & Southern Ry. Co. et al v. IAM&AW et al; Congress of Railway Unions et al v. Nat'l Ry. Labor Conference, et al 310 F. Supp. 905 (1970).

These three actions, which were consolidated for hearing, arose out of a dispute involving the national negotiations of general wage rates, rules and conditions between four shopcraft unions (the Machinists, the Boilermakers, the Electrical Workers and the Sheet Metal Workers) and the nation's Class I rail carriers.³ In Civil Action No. 299-70 the railroads sought a preliminary injunction against any strike by the Shopcraft unions against any individual carrier. In the other two actions, the unions respectively sought preliminary injunctions against a nationwide lockout threatened by the railroads in the event the Shopcraft unions struck individual carriers.

The court granted the railroads' prayer for an injunction against strikes of selected carriers by the unions and dismissed the unions' suit, ruling that, in the context of this dispute, a single carrier strike would constitute a violation of the Railway Labor Act. Relying heavily on principles first enunciated in *Brotherhood of Railroad Trainmen v. Atlantic Coast Line RR Co.* (D.C. Cir. 1967) 383 F. 2d 265, and later followed in *Chicago, Burlington & Quincy RR Co. v. Railway Employees' Dept.*, 301 F. Supp. 603. (D.C. D.C. 1969), the court ruled that "having begun on a national level, it is incumbent upon the parties to continue to deal on a national level even after the procedures of the Railway Labor Act have been exhausted. To act otherwise would take on the character of bad faith bargaining."

Atlantic Coast Line Railroad Company v. Brotherhood of Locomotive Engineers et al (U.S. Supreme Ct. No. 477, June 8, 1970)

This case concerned judicial interpretation of the Federal Anti-Injunction Act of 1793. Pursuant thereto, the Court vacated a *Federal district court* injunction enjoining the railroad from invoking a *State court* injunction prohibiting certain picketing by the union, on grounds that the Federal injunction was not proper either to "protect or effectuate" the lower Federal court's prior denial of an injunction against picketing, or as "necessary in aid of" that court's jurisdiction. The applicable language of the Anti-Injunction Act states that in Federal court "a writ of injunction (shall not) be granted to stay proceedings in any court of a state."

³ Details of this dispute before and after the District Court's decision are set out *supra* at p. 15.

II. RECORD OF CASES

1. CASES HANDLED BY THE BOARD

The three categories of formally docketed disputes which form the basis of tables 1 through 6, inclusive, are as follows:

(1) *Representation*.—Dispute among a craft or class of employees as to who will be their representative for the purpose of collective bargaining with their employer. (See sec. 2, ninth, of the act.) These cases are commonly referred to as "R" cases.

(2) *Mediation*.—Disputes between carriers and their employees concerning the making of or changes of agreements affecting rates of pay, rules, or working conditions not adjusted by the parties in conference. (See sec. 5, first, of the act.) These cases are commonly referred to as "A" cases.

(3) *Interpretation*.—Controversies arising over the meaning or the application of an agreement reached through mediation. (See sec. 5, second, of the act.) These cases are commonly referred to as interpretation cases.

Each of these categories will be discussed later in this report.

The Board's services may be invoked by the parties to a dispute, either separately or jointly, by the filing of an application in the form prescribed by the Board. Upon receipt of an application, it is promptly subjected to a preliminary investigation to develop or verify the required information. Later, where conditions warrant, the application may be assigned to a mediator for field handling. Both preliminary investigations and subsequent field investigations often disclose that applications for this Board's services have been filed in disputes properly referable to other tribunals authorized by the act, and therefore should not be docketed by this agency.

In addition to the three categories of disputes set forth above, the Board, since November 1955, has been assigning an "E" number designation to controversies wherein the Board's services have been proffered under the emergency provision of section 5, first (b), of the act. A total of 358 "E" cases have been docketed since the beginning of the series.

Another type of case which has been consuming an increasing amount of the Board's time is the "C" number designation series. The "C" number is given to both representation and mediation applications when it is not readily apparent that those applications should be docketed. A large percentage of these cases are assigned to a mediator for an on-the-ground investigation to secure sufficient facts in order for the Board to decide whether the subject should be docketed or dismissed. Moreover, the mediator aids the parties in getting to the crux of their problem regardless of the procedural differences, and he is often able to settle the dispute while making his investigation. During fiscal 1970, the Board handled 92 "C" cases.

It is apparent then that when we speak of total number of cases docketed

in the following paragraphs, we are speaking of formally docketed A, R, and interpretation cases, and not necessarily the total services of the Board which would include "C" and "E" cases.

It is not uncommon, particularly in the railroad industry, for one case to have a number of parties. For instance, the Board has handled disputes between as many as 10 unions, or more, and nearly 200 railroads involving a score or more issues. The Board has in the past and continues to consider such controversy for statistical purposes as one case when it is handled jointly on a national basis.

NEW CASES DOCKETED

Table 1, located in the appendix, indicates that the total number of all cases formally docketed during fiscal 1970 was 316. This is one more than was docketed in the previous year; a decrease of six mediation cases and an increase of seven representation cases. One interpretation of mediation agreement was docketed in 1970 which is exactly the same number that was docketed in the previous year.

2. DISPOSITION OF CASES

Table 1 further indicates that a total of 298 cases were disposed of in fiscal year 1970. When this is compared to fiscal year 1969 in which 415 cases were disposed of there is noted a decrease of 117 cases overall. There was a decrease of 1 representation case; 70 in 1969, 69 in 1970. The total of mediation cases disposed of in 1970 was 226 as compared to 343 in fiscal year 1969. This is a decrease of 117 mediation cases. The total of interpretation dispositions was three and there were two in fiscal year 1969 which shows an increase of one case. In the 36-year period, the Board has disposed of 12,863 cases.

3. MAJOR GROUP OF EMPLOYEES INVOLVED IN CASES

Table 3 shows that 23,605 employees were involved in 69 representation cases in fiscal 1970. This figure shows a decrease from the prior year of 49,416. Railroad employees accounted for 14,613 of the total in 29 disputes. Airline disputes, totaling 40 in number, involved 8,992.

Table 4 shows that of the total of all cases disposed of, railroad employees were involved in 193 cases while airline employees were involved in 101 cases. In the railroad industry the greatest activity was among the train, engine and yard service employees with a total of 131 cases: nine representation cases, 122 mediation cases and no interpretation of a mediation agreement case.

In the airline industry, the same table indicates that pilots were involved in 22 cases: seven representation, 14 mediation, and one interpretation of a mediation agreement case. Clerical, office, stores, fleet and passenger service employees were involved in 19 cases: 11 representation and eight mediation. Mechanics accounted for 12 cases: six representation and six mediation.

Table 5 is a summary of crafts or classes of employees involved in representation cases disposed of in fiscal 1970. Involved in a total of 69 disputes were 88 crafts or classes covering 23,605 employees. There were 42 railroad crafts or classes numbering 14,613 or 62 percent of all involved.

In the airline industry 46 crafts or classes were involved in 40 cases covering 8,992 people or 38 percent of the total. Clerical, office, stores, fleet and passenger service employees were involved in 29 percent of the total number of cases in ten elections covering 6,939 people.

4. RECORD OF MEDIATION CASES

As seen from table 1, mediation cases docketed during fiscal 1970 totaled 316 which is an increase of one case over fiscal year 1969. The total of cases docketed and the number pending from the prior year made 703 cases which were considered by the Board. The Board disposed of 222 cases, leaving 477 cases pending and unsettled at the end of the year.

Table 2 summarizes mediation cases disposed of during fiscal 1970, subdivided into method of disposition, class of carrier, and issues involved. Of the total 222 cases, 162 were railroad while 60 were airline. Mediation agreements were obtained in 112 cases: 79 railroad and 33 airline. Cases withdrawn after mediation totaled three, all of which were railroad cases. Eleven cases were withdrawn before mediation, all of which were in the railroad industry. Carriers declined to arbitrate unresolved issues in three cases: two railroad and one airline. The employees refused to arbitrate in 35 cases: 30 railroad and five airline. The Board dismissed 58 cases: 37 railroad and 21 airline. Of the total of 222 cases in the railroad industry, class I carriers were involved in 92 disputes, class II carriers in 26 disputes, switching and terminal in 34, electric railroads in two, and miscellaneous carriers in eight.

5. ELECTION AND CERTIFICATION OF REPRESENTATIVES

Table 3 shows that 17,144 of a total 23,605 employees actively participated in the outcome of the 69 representation cases. Certifications based on election were issued in 37 cases: 17 railroad and 20 airline. Of the 17 railroad cases 22 crafts or classes were involved among 13,117 employees of which 11,627 actively participated in the selection of the representative. In the 20 airline cases, among 24 crafts or classes, 5,198 employees were involved, of which 3,692 exercised their right to cast a ballot.

Certifications based on verification of authorizations were issued in five cases in fiscal 1970. Two of these cases were on railroads involving 12 employees and three airline cases involving 114 employees.

During fiscal 1970 four airline cases were withdrawn before investigation involving 89 employees and two railroad cases were withdrawn before investigation involving 74 employees. Cases withdrawn during investigation totaled six: four airline cases and two railroad cases involving 167 and 469 employees, respectively.

The Board dismissed 13 cases: six railroad and seven airline. The railroad cases involved 941 employees and the airline cases involved 1,692.

Table 6 shows that 882 railroad employees in 12 crafts or classes acquired representation for the first time by means of an election by a national organization. In the airline industry 574 employees representing 15 crafts or classes acquired representation via an election. In the railroad industry three employees representing three crafts or classes acquired representation on the basis of authorizations submitted by a national organization. In the airline industry 114 employees representing four crafts or classes acquired representation on the basis of authorizations submitted.

A new representative was selected by 228 employees in four crafts or classes in the railroad industry by means of an election by a national organization. Also in the railroad industry nine employees representing one craft or class changed representation by a national organization on the basis of authorizations submitted.

Among airline employees, there were 461 employees representing six crafts or classes who acquired a new bargaining agent in an election. Their bargaining agents were all national organizations.

In the railroad industry 11,273 employees in five crafts or classes retained, in an election, their same national organization after there was a challenge by another union. Also in the railroad industry 734 employees in one craft or class retained a local union as their bargaining agent. In the airline industry 4,163 employees in three crafts or classes retained their existing representation following a challenge by another union.

III. MEDIATION DISPUTES

The Railway Labor Act is intended to provide an orderly procedure by which representatives of the carriers and employees will make and maintain agreements. Section 6 of the act outlines in detail the guidelines which must be followed when either party desires to change an agreement affecting rates of pay, rules, and working conditions. The first requirement is that a 30-day written notice of the intended change must be served upon the other party. Within 10 days after receipt of the notice of intended change, the parties shall agree upon the time and place for conference on the notice. This conference must be within 30 days provided in the notice of intended change. Thus, in the first step, the parties are required to place on record, with advance notice, their intention to change the agreement between them. Arrangements must be made promptly for direct conferences between the parties on the subject covered by the notice in an effort to dispose of any dispute affecting rules, wages, and working conditions. It is at this level of direct negotiation that the majority of labor disputes are disposed of without the assistance of or intervention by an outside party. Chapter VI of this report indicates that during the past fiscal year, numerous revisions in agreements covering rates of pay, rules, and working conditions were made without the active assistance of the National Mediation Board.

In the event that settlement of the dispute is not reached in the first stage, section 5, first, of the act permits either party—carrier or labor organization—or both, to invoke the services of the National Mediation Board. Applications for the assistance of the Board in disposing of disputes may be made on printed forms NMB-2, copies of which may be obtained from the Executive Secretary, National Mediation Board, Washington, D.C. 20572.

Applications for Mediation

The instructions for filing application for mediation services of the Board call attention to the following provisions of the Railway Labor Act bearing directly on the procedures to be followed in handling disputes in which the services of the Board have been invoked. These instructions follow:

Item 1.—The Specific Question in Dispute

The specific question in dispute should be clearly stated, and special care exercised to see that it is in accord with the notice or request of the party serving same, as well as in harmony with the basis upon which direct negotiations were conducted. If the question is stated in general terms, the details of the proposed rates or rules found to be in dispute after conclusion of direct negotiations should be attached in an appropriate exhibit referred to in the question. This will save the time of all concerned in developing the essential facts through correspondence by the office or preliminary investigation by a mediator upon which the Board may determine its jurisdiction. The importance of having the specific question in dispute clearly stated is especially apparent when mediation is unsuccessful and the parties agree to submit such question to arbitration.

Item 2.—Compliance With Railway Labor Act

Attention is directed to the following provisions of the Railway Labor Act bearing directly on the procedure to be followed in handling disputes and invoking the services of the National Mediation Board:

Notice of Intended Change

"SEC. 6. Carriers and representatives of the employees shall give at least thirty days' written notice of an intended change in agreements affecting rates of pay, rules, or working conditions, and the time and place for the beginning of conference between the representatives of the parties interested in such intended changes shall be agreed upon within ten days after the receipt of said notice, and said time shall be within the thirty days provided in the notice. * * *"

Conferences Between the Parties

"SEC. 2. Second. All disputes between a carrier or carriers and its or their employees shall be considered, and, if possible, decided, with all expedition, in conference between representatives designated and authorized so to confer, respectively, by the carrier or carriers and by the employees thereof interested in the dispute.

Services of Mediation Board

"SEC. 5. First. The parties or either party, to a dispute between an employee or group of employees and a carrier may invoke the services of the Mediation Board in any of the following cases:

"(a) A dispute concerning changes in rates of pay, rules, or working conditions not adjusted by the parties in conference. * * *"

Status Quo Provisions

"SEC. 6. * * * In every case where such notice of intended change has been given, or conferences are being held with reference thereto, or the services of the Mediation Board have been requested by either party, or said Board has proffered its services, rates of pay, rules, or working conditions shall not be altered by the carrier until the controversy has been finally acted upon as required by section 5 of this Act, by the Mediation Board, unless a period of ten days has elapsed after termination of conferences without request for or proffer of the services of the Mediation Board."

Care should be exercised in filling out the application to show the exact nature of the dispute, number of employees involved, name of the carrier and name of the labor organization, date of agreement between the parties, if any, date and copy of notice served by the invoking party to the other, and date of final conference between the parties.

Section 5, first, permits the Board to proffer its services in case any labor emergency is found to exist at any time. Threatened labor emergencies created by the threats to use economic strength to settle issues in dispute without regard to the regular procedures of the act handicap the Board in assigning a mediator in an orderly manner to handle docketed cases. Cases in which the Board proffered its mediation services are assigned an "E" docket number.

1. PROBLEMS IN MEDIATION

A voluntary agreement made by representatives of carriers and labor organizations with the assistance of the National Mediation Board indicates that the problems which separated the parties at the time the services of the Board were invoked have been resolved. A reappraisal of the situation which led to the dispute and a critical examination of the factual situation under the guidance of a mediator has resulted in accommodation by the parties to each others problems. Experience has shown that such agreements made on voluntary basis during mediation create an atmosphere of mutual respect and understanding in the administration of the contract on a day-to-day basis.

When the Board finds it impossible to bring about a settlement of

any case by mediation, it endeavors, as required by section 5, first, of the act, "to induce the parties to submit their controversy to arbitration." The provisions for such arbitration proceedings are given in section 7 of the act. Arbitration must be mutually desired and there is no compulsion on either party to agree to arbitrate. 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. The Board firmly believes that more use should be made of the arbitration provisions of the act in settling disputes that cannot be disposed of in mediation.

Applications for the mediation services of the Board frequently indicate a misunderstanding as to the jurisdiction of the National Mediation Board and that of the National Railroad Adjustment Board. Such applications are received with the advice that a change made or proposed to be made by the carrier "constitutes a unilateral change by the carrier in the working conditions of the employees without serving notice or conducting negotiations under section 6 of the act." The Board is requested to take immediate jurisdiction of the dispute and call the carriers' attention to the "status quo" provisions of section 6 of the act, i.e., have the carrier withhold making the change in working conditions, or restore the preexisting conditions if the change has already been made, until the dispute has been processed by the National Mediation Board.

Section 6 of the Railway Labor Act reads as follows:

Carriers and representatives of the employees shall give at least thirty days' written notice of an intended change in agreements affecting rates of pay, rules, or working conditions, and the time and place for the beginning of conference between the representatives of the parties interested in such intended changes shall be agreed upon within ten days after the receipt of said notice, and said time shall be within the thirty days provided in the notice. In every case where such notice of intended change has been given, or conferences are being held with reference thereto, or the services of the Mediation Board have been requested by either party, or said Board has proffered its services, rates of pay, rules, or working conditions shall not be altered by the carrier until the controversy has been finally acted upon as required by section 5 of this Act, by the Mediation Board, unless a period of ten days has elapsed after termination of conferences without request for or proffer of the services of the Mediation Board.

The organization in these instances will contend that proposed changes by the carrier should not be made without following the procedures cited in section 6 above. These changes may involve assignment of individual employees or crews in road passenger or freight service, relocation of the point for going on and off duty in yard service, reduction of the number of employees through consolidations of facilities and changes which arise from development of new and improved method of work performance.

The carrier, on the other hand, will maintain that the procedure of notice and conference outlined in section 6 does not apply as the section has application only to those working conditions incorporated in written rules which have been made a part of the collective bargaining agreement with the representative of the employees and by which the carrier has expressly restricted or limited its authority to direct the manner in which certain services shall be rendered by its employees.

It is clear then that disputes of this nature involve a problem as to whether the proposed change can be instituted without serving a notice of intended change in the agreement on the other party. This raises a question of application of the existing agreement to the pending pro-

posals. Such a dispute is referable to the National Railroad Adjustment Board. On the other hand, if it is contended by the organization that the carrier has no right to make the proposed changes, and the carrier maintains that it is not restricted by the terms of the agreement from making the change, then the dispute pertains to the question of what the agreement requires and the dispute should be referred to the National Railroad Adjustment Board in accordance with section 3 of the Railway Labor Act for decision.

Another type of situation involves the case where an organization serves a proper section 6 notice on the carrier proposing to restrict the right of the carrier to unilaterally act in a certain area. Handling of the proposal through various stages of the Railway Labor Act has not been completed when complaints will sometimes be made that the carrier is not observing the "status quo" provisions of section 6 when it institutes an action which would be contrary to the agreement if the proposed section 6 notice had at that time been accepted by both parties.⁴

Section 6 states that where notice of intended change in an agreement has been given, rates of pay, rules, and working conditions as expressed in the agreement shall not be altered by the carrier until the controversy has been finally acted upon in accordance with specified procedures. Positively stated, section 6 is intended to maintain the contract as it existed between the parties until the provisions of the act have been complied with. When the procedures of the act have been exhausted without an agreement between the parties on the 30-day notice of intended change, the carrier may alter the contract to the extent indicated in the 30-day notice, and the organization is free to take such action as it deems advisable under the circumstances. The other provisions of the contract are not affected and remain unchanged. In brief, the rights of the parties which they had prior to serving the notice of intention to change remain the same during the period the proposal is under consideration, and remain so until the proposal is finally acted upon. The Board has stated in instances of this kind that the serving of a section 6 notice for a new rule or a change in an existing rule does not operate as a bar to carrier actions which are taken under rules currently in effect.

In the handling of mediation cases the following situations constantly recur: One is the lack of sufficient and proper direct negotiations between the parties prior to invoking mediation. Failure to do this makes it necessary after a brief mediation session to recess mediation in order that further direct conferences may be held between the parties to cover preliminary data which should have been explored prior to invoking the services of the Board. In other instances prior to invoking the services of the Board, the parties have only met in brief session without a real effort to resolve the dispute or consideration of alternative approaches to the issues in dispute. Under such circumstances the parties do not have a thorough knowledge of the issues in controversy or the views of the other party. Here again the mediation handling of the case must be postponed while the parties spend time preparing basic data which should have been explored prior to invoking the services of the Board. Frequent recesses of this nature do not permit a prompt disposition of the dispute as anticipated by the act.

In other instances mediation proceeds for only a short time before it becomes apparent that the designated representative of one or both sides lacks the authority to negotiate the dispute to a conclusion. Mediation

⁴ See *The Detroit and Toledo Shore Line R.R. Co. v. United Transportation Union*, 396 U.S. 142 (1969).

cannot proceed in an orderly fashion if the designated representatives do not have the authority to finally decide issues as the dispute is handled. The Board has a reasonable right to expect that the representatives designated by the parties to negotiate through the mediator will have full authority to execute an agreement when one is reached through mediatory efforts.

Another facet of this problem is the requirement that an agreement which has been negotiated by the designated representatives must be ratified by the membership of the organization. Failure of the employees, in some instances, to ratify the action of their designated representatives casts a doubt on the authority of these leaders and a question as to the extent to which they can negotiate settlement of disputes. In time this situation may have far reaching effects unless corrected for it is basic that negotiators must speak with authority which can be respected if agreement are to be concluded.

The Board deplores the failure of the parties to cloak their representatives with sufficient authority to conduct negotiations to a conclusion. The general duties of the act stipulate that all disputes between a carrier or carriers and its or their employees shall be considered and, if possible, decided with expedition, in conference between representatives designated and authorized so to confer, respectively, by the carrier or carriers and by the employees thereof interested in the dispute.

IV. REPRESENTATION DISPUTES

One of the general purposes of the act is stated as follows: "to provide for the complete independence of carriers and of employees in the manner of self-organization." To implement this purpose, the act places positive duties upon the carrier and the employees alike. Under the heading of "general duties," paragraph third reads as follows:

Representatives, for the purposes of this act, shall be designated by the respective parties without interference, influence, or coercion by either party over the designation of representatives by the other; and neither party shall in any way interfere with, influence, or coerce the other in its choice of representatives. Representatives of employees for the purpose of this act need not be persons in the employ of the carrier, and no carrier shall, by interference, influence, or coercion seek in any manner to prevent the designation by its employees as their representatives of those who or which are not employees of the carrier.

The act makes no mention as to how carrier representatives are selected. In practice, the carrier's chief executive designates the person or persons authorized to act in behalf of the carrier for the purposes of the act.

Paragraph fourth of general duties of the act grants to the employees the right to organize and bargain collectively through representatives of their own choosing.

To insure the employees of a free choice in naming their collective-bargaining representative, paragraph fourth of the act further states that "No carrier, its officers or agents, shall deny or in any way question the right of its employees to join, organize, or assist in organizing the labor organization of their choice, and it shall be unlawful for any carrier to interfere in any way with the organization of its employees, or to use the funds of the carrier in maintaining or assisting or contributing to any labor organization, labor representative, or other agency of collective bargaining, or in performance of any work therefor, * * *." Section 2, tenth, provides a fine and imprisonment for the violation of this and other parts of section 2.

The act provides that enforcement of this provision may be carried out by any district attorney of the United States proceeding under the direction of the Attorney General of the United States.

Section 2, ninth, of the act sets forth the duty of the Board in representation disputes. This provision makes it a statutory duty of the Board to investigate a representation dispute to determine the representative of the employees. Thereafter, the Board certifies the representatives to the carrier, and the carrier is then obligated to deal with that representative.

The Board's services are invoked by the filing of Form NMB-3, "Application for Investigation of Representation Disputes," accompanied by sufficient evidence that a dispute exists. This evidence usually is in the form of authorization cards. These cards must have been signed by the individual employees within a 12-month period, and must authorize the applicant organization or individual to represent for the purpose

of the Railway Labor Act the employees who signed the authorization cards. The names of all employees signing authorizations must be shown on a typewritten list prepared in alphabetical order and submitted in duplicate at the time the application is filed.

In disputes where employees are already represented, the applicant must file authorization cards in support of the application from at least a majority of the craft or class of employees involved. In disputes where the employees are unrepresented, a showing of at least 35 percent authorization cards from the employees in the craft or class is required.

In a dispute between two labor organizations, each seeking to represent a craft or class involved, the parties, obviously, are the two labor organizations. However, in a dispute where employees are seeking to designate a representative for the first time, the dispute is between those who favor having a representative as opposed to those who are either indifferent or are opposed to having a representative for the purpose of the act.

Often the question arises as to who is a party to a representation dispute. Initially, it is well to point out the Board has consistently interpreted the second and third general purpose of the act along with section 2, first and third, to exclude the carrier as a party to section 2, ninth, disputes.

The carrier is notified, however, of every dispute affecting its employees and requested to furnish information to permit the Board to conduct an investigation. When a dispute is assigned to a mediator for field investigation, the carrier is requested to name a representative to meet with the mediator and furnish him information required to complete his assignment. This procedure is in accordance with the last sentence of section 2, ninth, reading:

The Board shall have access to and have power to make copies of the books and records of the carrier to obtain and utilize such information as may be deemed necessary by it to carry out the purposes and provisions of this paragraph.

Upon receipt of an application by the Board, a preliminary investigation is made to determine whether or not the application should be docketed and assigned to a mediator for an on-the-ground investigation. The preliminary investigation usually consists of an examination to determine if there is any question as to craft or class, if sufficient authorization cards accompanied the application, and to resolve any other procedural question before it is assigned to field handling. Once the application has been found in proper order, it is docketed for field investigation.

Field investigation requires the compilation of a list of eligible employees and an individual check of the validity of the authorization cards. After receiving the mediator's report and all other pertinent information, the Board either dismisses the application or finds that a dispute exists which ordinarily necessitates an election.

Section 2, ninth, clearly states. "In the conduct of any election for the purposes herein indicated the Board shall designate who may participate in the election and establish the rules to govern the election." The mediator endeavors to have the contending union representatives agree upon the list of eligible voters. In most instances, the parties do agree, but in a few cases where the parties cannot, it is necessary for the Board to exercise its statutory authority and establish the voting list.

The act requires elections conducted by the Board to be by secret ballot and precautions are taken to insure secrecy. Furthermore, the

Board affords every eligible voter an opportunity to cast a ballot. In elections conducted entirely by U.S. mail, every person appearing on the eligible list is sent a ballot along with an instruction sheet explaining how to cast a secret ballot. In ballot box elections, eligible voters who cannot come to the polls are generally sent a ballot by U.S. mail. The tabulation of the ballots is delayed for a period of time sufficient for mail ballots to be cast and returned.

In elections where it is not possible to tabulate the ballots immediately, the ballots are mailed to a designated U.S. post office for safekeeping. At a prearranged time the mediator secures the ballots from the postmaster and makes the tabulation. The parties, if they so desire, may have an observer at these proceedings.

If the polling of votes results in a valid election, the outcome is certified to the carrier designating the name of the organization or individual authorized to represent the employees for the purposes of the act.

In disputes where there is a collective bargaining agreement in existence and the Board's certification results in a change in the employees' representative, questions frequently arise concerning the effect of the change on the existing agreement. The Board has taken the position that a change in representation does not alter or cancel any existing agreement made in behalf of the employees by their previous representatives. The only effect of a certification by the Board is that the employees have chosen other agents to represent them in dealing with the management under the existing agreement. If a change in the agreement is desired, the new representatives are required to give due notice of such desired change as provided by the agreement or by the Railway Labor Act. Conferences must then be held to agree on the changes exactly as if the original representatives had been continued. The purpose of such a policy is to emphasize a principle of the Railway Labor Act that agreements are between the employees and the carrier, and that the change of an employee representative does not automatically change the contents of an agreement. The procedures of section 6 of the Railway Labor Act are to be followed if any changes in agreements are desired.

1. RULES AND REGULATIONS

The Board's rules and regulations applying to representation disputes as they appear in the Code of Federal Regulations, title 29, chapter X are set forth below.

§ 1202.3 *Representation disputes.*

If any dispute shall arise among a carrier's employees as to who are the representatives of such employees designated and authorized in accordance with the requirements of the Railway Labor Act, it is the duty of the Board, upon request of either party to the dispute, to investigate such dispute and certify to both parties, in writing, the name or names of individuals or organizations that have been designated and authorized to represent the employees involved in the dispute, and to certify the same to the carrier.

§ 1202.4 *Secret ballot.*

In conducting such investigation, the Board is authorized to take a secret ballot of the employees involved, or to utilize any other appropriate method of ascertaining the names of their duly designated and authorized representatives in such manner as shall insure the choice of representatives by the employees without interference, influence, or coercion exercised by the carrier.

§ 1202.5 *Rules to govern elections.*

In the conduct of a representation election, the Board shall designate who may participate in the election, which may include a public hearing on craft or class and establish the rules to govern the election, or may appoint a committee of three neutral

persons who after hearing shall within 10 days designate the employees who may participate in the election.

§ 1202.6 *Access to carrier records.*

Under the Railway Labor Act the Board has access to and has power to make copies of the books and records of the carriers to obtain and utilize such information as may be necessary to fulfill its duties with respect to representative of carrier employees.

§ 1202.7 *Who may participate in elections.*

As mentioned in section 1202.3, when disputes arise between parties to a representation dispute, the National Mediation Board is authorized by the act to determine who may participate in the selection of employees' representatives.

§ 1202.8 *Hearings on craft or class.*

In the event the contesting parties or organizations are unable to agree on the employees eligible to participate in the selection of representatives, and either party makes application by letter for a formal hearing before the Board to determine the dispute, the Board may in its discretion hold a public hearing, at which all parties interested may present their contentions and argument, and at which the carrier concerned is usually invited to present factual information. At the conclusion of such hearings the Board customarily invites all interested parties to submit briefs supporting their views, and after considering the evidence and briefs, the Board makes a determination or finding, specifying the craft or class of employees eligible to participate in the designation of representatives.

§ 1203.2 *Investigation of representation disputes.*

Applications for the services of the National Mediation Board under section 2, Ninth, of the Railway Labor Act to investigate representation disputes among carriers employees may be made on printed forms N.M.B. 3 copies of which may be secured from the Board's Secretary. Such applications and all correspondence connected therewith should be filed in duplicate and the applications should be accompanied by signed authorization cards from the employees composing the craft or class involved in the dispute. The applications should show specifically the name or description of the craft or class of employees involved, the name of the invoking organization, the name of the organization currently representing the employees, if any, the estimated number of employees in each craft or class involved, and the number of signed authorizations submitted from employees in each craft or class. The applications should be signed by the chief executive of the invoking organization, or other authorized officer of the organization. These disputes are given docket numbers in series "R".

§ 1206.1 *Run-off elections.*

(a) If in an election among any craft or class no organization or individual receives a majority of the legal votes cast, or in the event of a tie, a second or run-off election shall be forthwith: *Provided*, That a written request by an individual or organization entitled to appear on the run-off ballot is submitted to the Board within ten (10) days after the date of the report of results of the first election.

(b) In the event a run-off election is authorized by the Board, the names of the two individuals or organizations which received the highest number of votes cast in the first election shall be placed on the run-off ballot, and no blank line on which voters may write in the name of any organization or individual will be provided in the run-off ballot.

(c) Employees who were eligible to vote at the conclusion of the first election shall be eligible to vote in the run-off election except (1) those employees whose employment relationship has terminated, and (2) those employees who are no longer employed in the craft or class.

§ 1206.2. *Percentage of valid authorizations required to determine existence of a representation dispute.*

(a) Where the employees involved in a representation dispute are represented by an individual or labor organization, either local or national in scope, and are covered by a valid existing contract between such representative and the carrier, a showing of proved authorizations (checked and verified as to date, signature and employment status) from at least a majority of the craft or class must be made before the National Mediation Board will authorize an election or otherwise determine the representation desires of the employees under the provisions of section 2, Ninth, of the Railway Labor Act.

(b) Where the employees involved in a representation dispute are unrepresented, a showing of proved authorizations from at least thirty-five (35) percent of the em-

ployees in the craft or class must be made before the National Mediation Board will authorize an election or otherwise determine the representation desires of the employees under the provisions of section 2, Ninth, of the Railway Labor Act.

§ 1206.3 *Age of authorization cards.*

Authorizations must be signed and dated in the employees' own handwriting or witnessed mark. No authorization will be accepted by the National Mediation Board in any employee representation dispute which bear a date prior to one year before the date of the application for the investigation of such dispute.

§ 1206.4 *Time limit on applications.*

(a) The National Mediation Board will not accept an application for the investigation of a representation dispute for a period of two (2) years from the date of a certification covering the same craft or class of employees on the same carrier in which a representative was certified, except in unusual or extraordinary circumstances.

(b) Except in unusual or extraordinary circumstances, the National Mediation Board will not accept for investigation under section 2, Ninth, of the Railway Labor Act an application for its services covering a craft or class of employees on a carrier for a period of one (1) year after the date on which:

(1) An election among the same craft or class on the same carrier has been conducted and no certification was issued account less than a majority of eligible voters participated in the election; or

(2) A docketed representation dispute among the same craft or class on the same carrier has been dismissed by the Board account no dispute existed as defined in § 1206.2 (rule 2); or

(3) The applicant has withdrawn an application covering the same craft or class on the same carrier which has been formally docketed for investigation.

NOTE: § 1206.4(b) will not apply to employees of a craft or class who are not represented for purposes of collective bargaining.
[19 F.R. 2121, Apr. 13, 1954; 19 F.R. 2205, Apr. 16, 1954]

§ 1206.5 *Necessary evidence of intervenor's interest in a representation dispute.*

In any representation dispute under the provisions of section 2, Ninth, of the Railway Labor Act, an intervening individual or organization must produce approved authorizations from at least thirty-five (35) percent of the craft or class of employees involved to warrant placing the name of the intervenor on the ballot.

§ 1206.6 *Eligibility of dismissed employees to vote.*

Dismissed employees whose requests for reinstatement account of wrongful dismissal are pending before proper authorities, which include the National Railroad Adjustment Board or other appropriate adjustment board are eligible to participate in elections among the craft or class of employees in which they are employed at time of dismissal. This does not include dismissed employees whose guilt has been determined, and who are seeking reinstatement on a leniency basis.

§ 1206.7 *Construction of this part.*

The rules and regulations in this part shall be literally construed to effectuate the purposes and provisions of the act.

§ 1206.8 *Amendment or rescission of rules in this part.*

(a) Any rule or regulation in this part may be amended or rescinded by the Board at any time.

(b) Any interested person may petition the Board, in writing, for the issuance, amendment, or repeal of a rule or regulation in this part. An original and three copies of such petition shall be filed with the Board in Washington, D.C., and shall state the rule or regulation proposed to be issued, amended, or repealed, together with a statement of grounds in support of such petition.

(c) Upon the filing of such petition, the Board shall consider the same, and may thereupon either grant or deny the petition in whole or in part, conduct an appropriate hearing thereon and make other disposition of the petition. Should the petition be denied in whole or in part, prompt notice shall be given of the denial, accompanied by a simple statement of the grounds unless the denial is self-explanatory.

V. ARBITRATION AND EMERGENCY BOARDS

1. ARBITRATION BOARDS

Arbitration is one of the important procedures made available to the parties for peacefully disposing of disputes. Generally, this provision of the act is used for disposing of so-called major disputes, i.e., those growing out of the making or changing of collective bargaining agreements covering rates of pay, rules, or working conditions, but it is not unusual for the parties to agree on the arbitration procedures in certain instances to dispose of other types of disputes, for example, the so-called minor disputes, i.e., those arising out of grievances or interpretation or application of existing collective bargaining agreements.

In essence, this procedure under the act is a voluntary undertaking by the parties by which they agree to submit their differences to an impartial arbitrator for final and binding decision to resolve the controversy.

Under section 5, first (b), of the act, provision is made that if the efforts of the National Mediation Board to bring about an amicable settlement of a dispute through mediation shall be unsuccessful, the Board shall at once endeavor to induce the parties to submit their controversy to arbitration, in accordance with the provisions of the act.

Generally the practice of the Board, after it has exhausted its efforts to settle a dispute within its jurisdiction through mediation proceedings, is to address a formal written communication to the parties advising that its mediatory efforts have been unsuccessful. In this formal proffer of arbitration the parties are urged by the Board to submit the controversy to arbitration under the procedures provided by the act. In some instances through informal discussions during mediation, the parties will agree to arbitrate the dispute, without awaiting the formal proffer of the Board.

Under sections 7, 8 and 9 of the act, a well-defined procedure is outlined to fulfill the arbitration process. It should be understood that this is not "compulsory arbitration," as there is no requirement in the act to compel the parties to arbitrate under these sections of the act. However, the availability of this procedure for peacefully disposing of controversy between carriers and employees places a responsibility on the parties to give serious consideration to this method for resolving a dispute, especially in the light of the general duties imposed on the parties to accomplish the general purposes of the act and particularly the command of section 2, first:

It shall be the duty of all carriers, their officers, agents, and employees to exert every reasonable effort to make and maintain agreements concerning rates of pay, rules and working conditions and to settle all disputes, whether arising out of the application of such agreements or otherwise, in order to avoid any interruption to commerce or to the operation of any carrier growing out of any dispute between the carrier and the employees thereof.

While the act provides for arbitration boards of either three or six members, six-member boards are seldom used and generally these boards are composed of three members. Each party to the dispute appoints one

partisan member and these two members are required by the act to endeavor to agree upon the third or neutral member to complete the arbitration board. Should they fail to agree in this respect, the act provides that the neutral member shall be selected by the National Mediation Board.

The agreement to arbitrate contains provisions as required by the act to the effect that the signatures of a majority of the board of arbitration affixed to the award shall be competent to constitute a valid and binding award; that the award and the evidence of the proceedings relating thereto when certified and filed in the clerk's office of the District Court of the United States for the district wherein the controversy arose or the arbitration was entered into, shall be final and conclusive upon the parties as to the facts determined by the award and as to the merits of the controversy decided; and that the respective parties to the award will each faithfully execute the same.

The purpose of the arbitration procedure is to insure a definite and final determination of a controversy. Over the years, arbitration proceedings have proved extremely beneficial in disposing of disputes involving fundamental differences between disputants, and instances of court actions to impeach awards have been rare.

Summarized below are awards rendered during the fiscal year 1970 on disputes submitted to arbitration.

ARB. 305—*Pan American World Airways, Inc. and Flight Engineers' International Association, PAA Chapter*

Members of the arbitration board were Ira Andersen, representing the carrier; Don Townshend, representing the organization; and Daniel House, neutral member and chairman, selected from a panel of five submitted by the National Mediation Board and appointed by the National Mediation Board.

This arbitration board was established by agreement of the parties with respect to rates of pay for Flight Engineers on B-747 aircraft.

In its award, filed May 21, 1970, the Board of Arbitration made the following award:

- (1) Under the Agreement between the parties dated September 13, 1968, the hourly rate of pay at maximum longevity for Flight Engineers for service on B-747 aircraft shall be, retroactively to January 21, 1970, thirty-seven dollars and sixty-one cents (\$37.61).
- (2) The parties shall attempt by negotiation to divide that sum among the various factors (speed, weight, etc.) provided for in the Agreement.
- (3) The parties shall attempt by negotiation to establish under the Agreement the B-747 rates at levels less than maximum longevity.
- (4) This Board retains jurisdiction in the matter to hear and to decide any deadlock which may occur in connection with the application of the preceding two paragraphs. Should either party request the Chairman in writing that the Board reconvene to hear such a dispute, the Board will so reconvene as promptly as is feasible.

2. EMERGENCY BOARDS—SECTION 10, RAILWAY LABOR ACT

As a last resort in the design of the act to preserve industrial peace on the railways and airlines, section 10 provides for the creation of emergency

boards to deal with emergency situations:

If a dispute between a carrier and its employees be not adjusted under the foregoing provisions of this Act and should, in the judgment of the Mediation Board, threaten substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service, the Mediation Board shall notify the President, who may thereupon, in his discretion, create a board to investigate and report respecting such dispute * * *.

This section further provides:

After the creation of such board, and for 30 days after such board has made its report 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.

Emergency boards are not permanently established, as the act provides that "such Boards shall be created separately in each instance." The act leaves to the discretion of the President, the actual number of appointees to the Board. Generally, these boards are composed of three members, although there have been several instances when such boards have been composed of as many as five members. There is a requirement also in the act that "no member appointed shall be pecuniarily or otherwise interested in any organization of employees or any carrier."

In some cases, the emergency boards have been successful through mediatory efforts in having the parties reach a settlement of the dispute, 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.

In general the procedure followed by the emergency boards in making investigations is to conduct public hearings giving the parties involved the opportunity to present factual data and contentions in support of their respective positions. At the conclusion of these hearings the board prepares and transmits its report to the President.

The parties to the dispute are not compelled by any requirement of the act to adopt the recommendations of an emergency board. When the provision for emergency boards was included in the Railway Labor Act, it was based on the theory that this procedure would further aid the parties in a calm dispassionate study of the controversy and also afford an opportunity for the force of public opinion to be exerted on the parties to reach a voluntary settlement by accepting the recommendations of such board or use them as a basis for resolving their differences.

While there have been instances where the parties have declined to adopt emergency board recommendations and strike action has followed, the experience over the years has been that the recommendations of such boards have contributed substantially to amicable settlements of serious controversies which might otherwise have led to far-reaching interruptions of interstate commerce.

Summarized below are the reports to the President issued by emergency boards during the fiscal year ending June 30, 1970.

Emergency Board No. 176 (NMB Case A-8563—National Railway Labor Conference and the Eastern, Western, and Southeastern Carriers' Conference Committees and certain of their employees represented by the Employes' Conference Committee composed of the International Association of Machinists and Aerospace Workers; the Sheet Metal Workers' International Association, the International Brotherhood of Electrical Workers, and the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers.)

This emergency board was created by Executive Order 11486 dated October 3, 1969. President Nixon appointed the following persons as

members of the Board: Ralph T. Seward, attorney and arbitrator, Washington, D.C., Chairman; Robert G. Howlett, Attorney and Chairman of the Michigan Employment Relations Commission, Grand Rapids, Mich.; and Professor E. Robert Livernash, Graduate School of Business Administration, Harvard University, Cambridge, Massachusetts.

The carriers before this Board included almost all of the Class I railroads of the United States and accounted for more than 95 percent of the country's total railroad mileage. The organizations represented approximately 48,000 shopcraft workers who are employed in the maintenance and repair of the locomotives, cars, and other equipment used by the Carriers in rail transportation.

The present dispute began in November 1968 when both parties served notices pursuant to Section 6 of the Railway Labor Act proposing changes in their agreements. The organizations' proposals dealt mainly with wage rates to be established as of January 1, 1969, and the carriers' proposals, for the most part, renewed requests made in 1966 for changes in work rules. The Carriers' proposed rule changes are: (1) Classification of Work; (2) Revision of September 25, 1964 Agreement; (3) Monetary Claims; (4) Discipline and Investigation; (5) Force Reductions; (6) 40-Hour Workweek Rules; (7) Eliminate Starting Time Rule; (8) Assignment and Use of Employees; (9) Transfer of Employees; (10) Filling of Temporary Vacancies of Augmentation of Force; (11) Changing Employees from One Shift to Another; and (12) Wrecker Crews and Equipment.

In the report to the President filed on November 2, 1969, the Board made the following recommendations: (1) The Organizations accept for the year 1969 the wage proposal of the Carriers of a 2-percent wage increase to be effective January 1, 1969, and an additional 3-percent adjustment to be effective July 1, 1969. (2) The Carriers accept the uniform minimum rates of pay proposed by the Organizations. (3) The Carriers and Organizations negotiate a Class I Mechanic Rate not less than 20 cents per hour above the Regular Mechanic Rate, to be applied to the more skilled and responsible assignments as determined by the parties within the limits suggested and to be effective upon agreement. (4) Negotiations be continued with respect to rule modification and the granting to the shopcrafts of a special additional wage increase in recognition of added efficiency and productivity made possible by such modification. In this connection, it is urged that the special negotiations which have been begun, apart from this proceeding, related to the operation of the contracting out rule of a particular carrier, be carried through to a successful agreement and that all obstacles to the successful negotiation of a 2-year moratorium on changes in the contracting out rule be removed. (5) The Carriers and Organizations withdraw from the present negotiations all of their respective proposals not within the framework of this Board's report and recommendations.

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 provision 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 8 shows the number of agreements subdivided by class of carrier and type of labor organization which have been filed with the Board during the 36-year period of 1935-70. During the last fiscal year, there were no new agreements in the railroad industry. In the airline industry there were ten new agreements. A total of 5,704 agreements are on file in the Board's offices. Of this number 452 are with air carriers.

The above figure includes the numerous revisions and supplements to existing agreements previously filed with the Board.

2. NOTICES REGARDING CONTRACTS OF EMPLOYMENT

Section 2, eighth, of the Railway Labor Act, as amended June 21, 1934, reads as follows:

Eighth. Every carrier shall notify its employees by printed notices in such form and posted at such times and places as shall be specified by the Mediation Board that all disputes between the carrier and its employees will be handled in accordance with the requirements of this Act, and in such notices there shall be printed verbatim, in large type, the third, fourth, and fifth paragraphs of this section. The provisions of said paragraphs are hereby made a part of the contract of employment between the carrier and each employee, and shall be held binding upon the parties, regardless of any other express or implied agreements between them.

Order No. 1 was issued August 14, 1934, by the Board requiring that notices regarding the Railway Labor Act shall be posted and maintained continuously in a readable condition on all the usual and customary bulletin boards giving information to employees and at other places as may be necessary to make them accessible to all employees. Such notices shall not be hidden by other papers or otherwise obscured from view.

After the air carriers were brought under the Railway Labor Act by the April 10, 1936, amendment, the Board issued its order No. 2 directed

to air carriers which had the same substantial effect as order No. 1. Poster MB-1 is applicable to rail carriers while poster MB-6 has been devised for air carriers. In addition to these two posters, poster NMB-7 was devised to conform to the January 10, 1951, amendments to the act. This poster should be placed adjacent to poster No. MB-1 or MB-6. Sample copies of these posters, which may be reproduced as required, may be obtained from the Executive Secretary of the Board.

VII. INTERPRETATION AND APPLICATION OF AGREEMENTS

Agreements or contracts made in accordance with the Railway Labor Act governing rates of pay, rules, and working conditions are consummated in two manners: First, and the most frequent, are those arrived at through direct negotiations between carriers and representatives of their employees; and second, mediation agreements made by the same parties but assisted by and under the auspices of the National Mediation Board. Frequently differences arise between the parties as to the interpretation or application of these two types of agreements. The act, in such cases, provides separate procedures for disposing of these disputes. These tribunals are briefly outlined below.

1. 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 be given 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 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.

The Board's policy in this respect was stated as follows in Interpretation No. 72 (a), (b), (c), issued January 14, 1959:

The Board has said many times that it will not proceed under section 5, second, to decide specific disputes. This is not a limitation imposed upon itself by the Board, but is a limitation derived from the meaning and intent of section 5, second, as distinguished from the meaning and intent of section 3.

We have by our intermediate findings held that it was our duty under the facts of this case to proceed to hear the parties on all contentions that each might see fit to make. That was not a finding, however, that we had authority to make an interpretation which would in effect be a resolution of the specific dispute between the parties. The intent and purpose of section 5, second, is not so broad.

The legislative history of the Railway Labor Act clearly shows that the parties who framed the proposal in 1926 and took it to Congress for its approval, did not intend that the Board then created would be vested with any large or general adjudicatory powers. It was pointed out in the hearings and debate, that it was desirable that the Board not have such power or duty. During the debate in Congress, there was a proposal to give the Board power to issue subpoenas. This was denied because of the lack of need. It was believed by the sponsors of the legislation that the Board

should have no power to decide issues between the parties to a labor dispute before the Board. The only exception was the provision in section 5, second. This language was not changed when section 3 was amended in 1934 and the National Railroad Adjustment Board was created.

We do not believe that the creation of the National Railroad Adjustment Board was in any way an overlapping of the Board's duty under section 5, second, or that section 3 of the act is in any way inconsistent with the duty of the Mediation Board under section 5, second. These two provisions of the act have distinctly separate purposes.

The act requires the National Mediation Board upon proper request to make an interpretation when a "controversy arises over the *meaning* or application of any agreement reached through mediation." It would seem obvious that the purpose here was to call upon the Board for assistance when a controversy arose over the meaning of a mediation agreement because the Board, in person, or by its mediator, was present at the formation of the agreement and presumably knew the intent of the parties. Thus, the Board was in a particularly good position to assist the parties in determining "the meaning or application" of an agreement. However, this obligation was a narrow one in the sense that the Board shall interpret the "meaning" of agreements. In other words, the duty was to determine the intent of the agreement in a general way. This is particularly apparent when the language is compared to that in section 3, first (i). In that section the National Railroad Adjustment Board is authorized to handle *disputes* growing out of grievances or out of the interpretation or application of agreements, whether made in mediation or not. This section has a different concept of what parties may be concerned in the dispute. That section is concerned with disputes between an employee or group of employees, and a carrier or group of carriers. In section 5, second, the parties to the controversy are limited to the parties making the mediation agreement. Further, making an interpretation as to the meaning of an agreement is distinguishable from making a final and binding award in a dispute over a grievance or over an interpretation or application of an agreement. The two provisions are complementary and in no way overlapping or inconsistent. Section 5, second, in a real sense, is but an extension of the Board's mediatory duties with the added duty to make a determination of issues in proper cases.

During the fiscal year, 1970, the Board was called upon to interpret the terms of one mediation agreement, which added to the three requests on hand at the beginning of the fiscal year made a total of four under consideration. At the conclusion of the fiscal year three requests had been disposed of leaving one still pending. Since the passage of the 1934 amendment to the act, the Board has disposed of 119 cases under the provisions of section 5, second, of the Railway Labor Act, as compared to a total of 4,783 mediation agreements completed during the same period.

2. 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 board is composed of 34 members, 17 representing, chosen, and compensated by the carriers and 17 representing, chosen, and compensated by the so-called standard railway labor organizations.

By amendment (Public Law 91-234) approved April 23, 1970, the first division is composed of 8 members, 4 of whom are selected and designated by the carriers and 4 of whom are selected and designated by the labor organizations, national in scope.

The second and third divisions are composed of 10 members each, equally divided between representatives of labor and management.

The fourth division has 6 members, also equally divided. The law establishes the headquarters of the adjustment board at Chicago, Illinois. A report of the board's operations for the past fiscal year is contained in appendix A.

When the members of any of the four divisions of the adjustment board are unable to agree upon an award on 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 the 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 B. During its 36-year existence the adjustment board has received 70,022 cases and disposed of 66,341. Table 9 of this report shows that 1,518 were disposed of in fiscal 1970—850 by decision and 668 by withdrawal. In the fiscal year 1970, 921 new cases were received compared with 978 received during fiscal 1969.

3. 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 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.

4. SPECIAL BOARDS OF ADJUSTMENT—RAILROADS

Special boards of adjustment are tribunals set up by agreement usually on an individual railroad, and with a single labor organization of employees, to consider and decide specifically agreed to dockets of disputes arising out of grievances or out of the interpretation or application of

provisions of a collective bargaining agreement. Such disputes normally would be sent to the National Railroad Adjustment Board for adjudication as provided in section 3 of the Railway Labor Act, but in these instances, the parties by agreement adopt the special board procedure in order to secure prompt disposition of these disputes.

The Special Board of Adjustment procedure had its inception in the 1940's at the suggestion of the National Mediation Board as an effective method for expediting the disposition of such disputes through an adaptation of the grievance function of the divisions of the National Railroad Adjustment Board, and also as a means of reducing the backlog of cases pending before certain divisions of the National Railroad Adjustment Board.

These special boards usually consist of three members—a railroad member; an organization member, and a neutral chairman. The National Mediation Board designates the neutral in the event the party members fail to agree upon the selection of a neutral.

The number of special boards of adjustment created under this procedure increased as a result of the decision of the U.S. Supreme Court, March 25, 1957 (*BRT v. CRI RR Co.*, 353 U.S. 30).

Special boards of adjustment continued to function during the past year. The number of these boards continues to decrease. Six new special boards of adjustment were created and during this period a total of 68 boards convened. These boards had disposed of 1,341 cases as of June 30, 1970.

5. PUBLIC LAW BOARDS

(Special Boards of Adjustment under Public Law 89-946 of June 20, 1966)

On June 20, 1966, the President approved Public Law 89-456 (H.R. 706), which amended certain provisions of section 3 of the Railway Labor Act.

In general, the amendment authorizes the establishment of special boards of adjustment on individual railroads upon the written request of either the representatives of employees or of the railroad to resolve disputes otherwise referable to the National Railroad Adjustment Board and disputes pending before the board for 12 months.

The amendments also make all awards of the National Railroad Adjustment Board and special boards of adjustment established pursuant to the amendment, final (including money awards) and provide opportunity to both employees and employers for limited judicial review of such awards.

The National Mediation Board has adopted rules and regulations defining responsibilities and prescribing related procedures under the amendment for the establishment of special boards of adjustment, their designation as PL boards, the filing of agreements and the disposition of records. These rules and regulations are reproduced in this chapter VII.

The Board anticipates that Public Law (PL) Boards will eventually supplant the Special Board of Adjustment procedure, which has been utilized by many representatives of carriers and employees by agreement over the past 20 years, and also reduce the caseload of various divisions of the National Railroad Adjustment Board.

Neutral members of Public Law Boards are appointed by the National Mediation Board. In addition to neutrals appointed to dispose of disputes involving grievances, or interpretations or application of collective bargaining agreements neutrals may be appointed to dispose of procedural issues which arise as to the establishment of the Board itself.

During the past year 168 Public Law Boards were established and 258 convened. Nineteen of these boards initially involved procedural issues, and the remainder concerned the merits of specific grievances.

Inquiries and correspondence in regard to Public Law Boards should be addressed to: Administrative Officer, National Railroad Adjustment Board, 220 South State Street, Chicago, Illinois 60604.

TITLE 29—LABOR

Chapter X—National Mediation Board

PART 1207—ESTABLISHMENT OF SPECIAL ADJUSTMENT BOARDS

On pages 13946 and 13947 of the Federal Register of November 1, 1966, there was published a notice of proposed rule making to issue rules governing the establishment of special adjustment boards upon the request of either representatives of employees or of carriers to resolve disputes otherwise referable to the National Railroad Adjustment Board. Interested persons were given an additional ten (10) days to submit written comments, suggestions, or objections regarding the proposed rules which had first appeared at pages 10697 and 10698 of the Federal Register of August 11, 1966, and had then appeared subsequently in the Federal Register of October 12, 1966 at 13176 and 13177.

No objections have been received and the proposed regulations are hereby adopted without change and are set forth below.

Effective date. These regulations became effective upon their publication in the Federal Register, Nov. 17, 1966.

THOMAS A. TRACY,
Executive Secretary.

Sec.

1207.1 Establishment of special adjustment boards (PL Boards).

1207.2 Requests for Mediation Board action.

1207.3 Compensation of neutrals.

1207.4 Designation of PL Boards, filing of agreements, and disposition of records.

AUTHORITY: The provisions of this Part 1207 issued under the Railway Labor Act, as amended (45 U.S.C. 151-163).

§ 1207.1 *Establishment of special adjustment boards (PL Boards).*

Public Law 89-456 (80 Stat. 208) governs procedures to be followed by carriers and representatives of employees in the establishment and functioning of special adjustment boards, hereinafter referred to as PL Boards. Public Law 89-456 requires action by the National Mediation Board in the following circumstances:

(a) *Designation of party member of PL Board.* Public Law 89-456 provides that within thirty (30) days from the date a written request is made by an employee representative upon a carrier, or by a carrier upon an employee representative, for the establishment of a PL Board, an agreement establishing such a Board shall be made. If, however, one party fails to designate a member of the Board, the party making the request may ask the Mediation Board to designate a member on behalf of the other party. Upon receipt of such request, the Mediation Board will notify the party which failed to designate a partisan member for the establishment of a PL Board of the receipt of the request. The Mediation Board will then designate a representative on behalf of the party upon whom the request was made. This representative will be an individual associated in interest with the party he is to represent. The designee, together with the member appointed by the party requesting the establishment of the PL Board, shall constitute the Board.

(b) *Appointment of a procedural neutral to determine matters concerning the establishment and/or jurisdiction of a PL Board.* (1) When the members of a PL Board constituted in accordance with paragraph (a) of this section, for the purpose of resolving questions concerning the establishment of the Board and/or its jurisdiction, are unable to resolve these matters, then and in that event, either party may ten (10) days thereafter request the Mediation Board to appoint a neutral member to determine these procedural issues.

(2) Upon receipt of this request, the Mediation Board will notify the other party to the PL Board. The Mediation Board will then designate a neutral member to sit with the PL Board and resolve the procedural issues in dispute. When the neutral has determined the procedural issues in dispute, he shall cease to be a member of the PL Board.

(c) *Appointment of neutral to sit with PL Boards and dispose of disputes.* (1) When the members of a PL Board constituted by agreement of the parties, or by the ap-

pointment of a party member by the Mediation Board, as described in paragraph (a) of this section, are unable within ten (10) days after their failure to agree upon an award to agree upon the selection of a neutral person, either member of the Board may request the Mediation Board to appoint such neutral person and upon receipt of such request, the Mediation Board shall promptly make such appointment.

(2) A request for the appointment of a neutral under paragraph (b) of this section or this paragraph (c) shall:

- (i) Show the authority for the request—Public Law 89-456, and
- (ii) Define and list the proposed specific issues or disputes to be heard.

§ 1207.2 *Requests for Mediation Board action.*

(a) Requests for the National Mediation Board to appoint neutrals or party representatives should be made on NMB Form 5.

(b) Those authorized to sign request on behalf of parties:

(1) The "representative of any craft or class of employees of a carrier," as referred to in Public Law 89-456, making request for Mediation Board action, shall be either the General Chairman, Grand Lodge Officer (or corresponding officer of equivalent rank), or the Chief Executive of the representative involved. A request signed by a General Chairman or Grand Lodge Officer (or corresponding officer of equivalent rank) shall bear the approval of the Chief Executive of the employee representative.

(2) The "carrier representative" making such a request for the Mediation Board's action shall be the highest carrier officer designated to handle matters arising under the Railway Labor Act.

(c) Docketing of PL Board agreements: The National Mediation Board will docket agreements establishing PL Board, which agreements meet the requirements of coverage as specified in Public Law 89-456. No neutral will be appointed under § 1207.1(c) until the agreement establishing the PL Board has been docketed by the Mediation Board.

§ 1207.3 *Compensation of neutrals.*

(a) *Neutrals appointed by the National Mediation Board.* All neutral persons appointed by the National Mediation Board under the provisions of § 1207.1 (b) and (c) will be compensated by the Mediation Board in accordance with legislative authority. Certificates of appointment will be issued by the Mediation Board in each instance.

(b) *Neutrals selected by the parties.* (1) In cases where the party members of a PL Board created under Public Law 89-456 mutually agree upon a neutral person to be a member of the Board, the party members will jointly so notify the Mediation Board, which Board will then issue a certificate of appointment to the neutral and arrange to compensate him as under paragraph (a) of this section.

(2) The same procedure will apply in cases where carrier and employee representatives are unable to agree upon the establishment and jurisdiction of a PL Board, and mutually agree upon a procedural neutral person to sit with them as a member and determine such issues.

§ 1207.4 *Designation of PL Boards, filing of agreements, and disposition of records.*

(a) *Designation of PL Boards.* All special adjustment boards created under Public Law 89-456 will be designated PL Boards, and will be numbered serially, commencing with No. 1, in the order of their docketing by the National Mediation Board.

(b) *Filing of agreements.* The original agreement creating the PL Board under Public Law 89-456 shall be filed with the National Mediation Board at the time it is executed by the parties. A copy of such agreement shall be filed by the parties with the Administrative Officer of the National Railroad Adjustment Board, Chicago, Ill.

(c) *Disposition of records.* Since the provisions of section 2(a) of Public Law 89-456 apply also to the awards of PL Boards created under this Act, two copies of all awards made by the PL Boards, together with the record of proceedings upon which such awards are based, shall be forwarded by the neutrals who are members of such Boards, or by the parties in case of disposition of disputes by PL Boards without participation of neutrals, to the Administrative Officer of the National Railroad Adjustment Board, Chicago, Ill., for filing, safekeeping, and handling under the provisions of section 2(q), as may be required.

[F.R. Doc. 66-12451; Filed, Nov. 16, 1966; 8:47 a.m.]

VIII. ORGANIZATION AND FINANCES OF THE NATIONAL MEDIATION BOARD

1. ORGANIZATION

The National Mediation Board replaced the U.S. 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 July 1 of each year. An amendment to the act approved August 31, 1964 (78 Stat. 748), provides: "upon the expiration of his term of office, a member shall continue to serve until his successor is appointed and shall have qualified." The act 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 Washington, D.C. 20572. 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 consists 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 elections 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:

Harry D. Bickford
Charles H. Callahan
A. Alfred Della Corte
William J. Dick
Charles M. Dulen
Dana E. Eischen
Lawrence Farmer
Robert J. Finnegan
Eugene C. Frank
Arthur J. Glover
Edward F. Hampton
Matthew E. Kearney

Thomas C. Kinsella
Warren S. Lane
Raymond McElroy
Michael J. O'Connell
Charles A. Peacock
Walter L. Phipps
William H. Pierce
Rowland K. Quinn, Jr.
Tedford E. Schoonover
Joseph W. Smith
John B. Willits

REGISTER

MEMBERS, NATIONAL MEDIATION BOARD

<i>Name</i>	<i>Appointed</i>	<i>Terminations</i>
William M. Leiserson.....	July 21, 1934	Resigned May 31, 1939.
James W. Carmalt.....	do.....	Deceased Dec. 2, 1937.
John M. Carmody.....	do.....	Resigned Sept. 30, 1935.
Otto S. Beyer.....	Feb. 11, 1936	Resigned Feb. 11, 1943.
George A. Cook.....	Jan. 7, 1938	Resigned Aug. 1, 1946.
David J. Lewis.....	June 3, 1939	Resigned Feb. 5, 1943.
William M. Leiserson.....	Mar. 1, 1943	Resigned May 31, 1944.
Harry H. Schwartz.....	Feb. 26, 1943	Term expired Jan. 31, 1947.
Frank P. Douglass.....	July 3, 1944	Resigned Mar. 1, 1950.
Francis A. O'Neill, Jr.....	Apr. 1, 1947	Term expires July 1, 1971.
John Thad Scott, Jr.....	Mar. 5, 1948	Resigned July 31, 1953.
Leverett Edwards.....	Apr. 21, 1950	Resigned July 31, 1970.
Robert O. Boyd.....	Dec. 28, 1953	Resigned Oct. 14, 1962.
Howard G. Gamser.....	Mar. 11, 1963	Resigned May 31, 1969.
George S. Ives.....	Sept. 19, 1969	Term expires July 1, 1972.

Financial Statement

For the fiscal year 1970, the Congress appropriated \$2,353,000 for administration of the Railway Labor Act.

Obligations and expenses incurred for the various activities of the Board were as follows: mediations, \$926,000; voluntary arbitration and emergency disputes, \$667,000; adjustment of railroad grievances \$760,000.

Accounting of all moneys appropriated by Congress for the fiscal year 1970, pursuant to the authority conferred by "An Act to amend the Railway Labor Act approved May 20, 1926" (amended June 21, 1934):

Expenses and obligations:

Personnel services.....	\$1,779,784
Personnel benefits.....	104,791
Travel and transportation of persons.....	234,507
Transportation of things.....	3,422
Rent, communications, and utilities.....	61,448
Printing.....	48,283
Other services.....	49,879
Supplies and materials.....	16,638
Equipment.....	10,533
Unobligated balance.....	43,715

Amount available.....	2,353,000
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APPENDIX A

NATIONAL RAILROAD ADJUSTMENT BOARD

(Created June 21, 1934)

KASAMIS, G. P., *Chairman*

NAYLOR, G. L., *Vice Chairman*

ANDERSON, D. S.	LEVIN, K. ²
BLACK, R. E.	MCDERMOTT, E. J.
BRAIDWOOD, H. F. M.	MATHIEU, J. R. ³
CARLISLE, J. E.	MILLER, D. A.
CARTER, P. C.	MORRISSEY, J. F.
CONWAY, C. A.	ORNDORFF, GERALD
DUBOSE, G. T. ¹	OTTO, A. T., JR.
EUKER, W. F.	RIORDAN, F. P. ⁴
GABRIEL, Q. C.	SMITH, R. W.
HARPER, H. G.	STENZINGER, R. E.
HARRIS, W. R.	STRUNCK, T. F.
HIRST, W. A.	TAHNEY, J. P.
HORSLEY, E. T.	TANSLEY, H. S. ⁵
HUMPHREYS, P. R.	WERTZ, O. L.
JONES, W. B.	WHITE, G. C.
KIEF, C. E.	WHITEHOUSE, J. W. ⁶
LEE, D. P.	WOLFE, E. H.

Accounting for all moneys appropriated by Congress for the fiscal year 1970, pursuant to the authority conferred by "An Act to amend the Railway Labor Act, Approved May 20, 1926."

[Approved June 21, 1934]

Regular appropriation: National Railroad Adjustment Board's portion of Salaries and Expenses, National Mediation Board	\$855,000
Reallocated to Boards of Adjustment due to curtailment of First Division operations	95,000
	<u>\$760,000</u>
Expenditures:	
Salaries of employees	\$453,388
Salaries of referees	137,400
Personnel benefits	39,199
Travel expenses (including referees)	26,977
Transportation of things	3,267
Communication services	18,279
Printing and reproduction	28,505
Other contractual services	30,377
Supplies and materials	9,501
Equipment	8,107
Total expenditures	<u>755,000</u>
Unexpended balance	5,000

¹ Membership abolished Apr. 23, 1970. See Public Law 91-234.

² Membership abolished Apr. 23, 1970. See Public Law 91-234.

³ Replaced H. K. Hagerman.

⁴ Membership created Apr. 23, 1970. See Public Law 91-234.

⁵ Replaced F. P. Butler.

⁶ Replaced W. J. Ryan.

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

Name	Title	Salary paid	Duties
Carvatta, Roy J.....	Administrative officer.....	\$18,450.08	Subject to direction of National Mediation Board, administers N.R.A.B. Governmental affairs. Secretarial, accounting and auditing. Assists in accounting and auditing. Clerical.
Swanson, Ronand A.....	Assistant administrative officer.	10,918.16	
Brasch, Rosemarie.....	Clerical assistant.....	7,479.52	
Tuttle, George J.....	do.....	7,327.60	

FIRST DIVISION

Humfreville, M. L.....	Executive secretary ¹	3,294.24	Administration of affairs of division.
Killen, E. A.....	do.....	8,853.36	Do.
Castellanos, H. M.....	Secretary (confidential assistant).	2,013.04	Secretarial, stenographic and clerical.
Dever, Nancy J.....	Secretary (administrative assistant).	8,924.16	Do.
Ellwanger, D. M.....	Secretary (confidential assistant).	7,655.36	Do.
Fisher, Doris S.....	do.....	7,998.24	Do.
Howat, Helen S.....	do.....	2,254.80	Do.
Keating, Mary Alice M.....	do.....	1,307.04	Do.
Morgan, Ruth B.....	do.....	7,608.48	Do.
Pett, Lawrence H.....	Clerical assistant.	6,584.32	Do.
Rafti, Joan M.....	Secretary (confidential assistant).	2,681.84	Do.
Smith, Joan M.....	do.....	8,553.12	Do.
Sullivan, J. A.....	do.....	7,281.72	Do.
Walsh, Pamela A.....	do.....	3,806.64	Do.
Williams, M. M.....	do.....	6,781.44	Do.
Zukas, Mary E.....	do.....	5,938.24	Do.

REFEREES

McCandless, John R.; 12 ¼ days @ \$100 per day.	-----	1,275.00	Sat with division as a member to make awards, upon failure of division to agree or secure majority vote.
---	-------	----------	--

¹ Dual assignment effective Jan. 25, 1970.

SECOND DIVISION

Killen, E. A.....	Executive secretary.....	\$7,204.16	Administration of affairs of division.
McCarthy, C. C.....	do.....	11,274.84	Do.
Arnold, E. L.....	Secretary (confidential assistant).	5,921.60	Secretarial, stenographic and clerical.
Carley, Yvonne M.....	do.....	6,179.52	Do.
Gebbia, C. A.....	do.....	3,509.92	Do.
Glenn, Allise N.....	do.....	10,246.08	Do.
Howat, Helen S.....	do.....	7,154.16	Do.
Lamborn, D. T.....	Secretary (administrative assistant).	10,246.08	Do.
Loughrin, C. A.....	Secretary (confidential assistant).	8,924.16	Do.
Mills, Frances.....	do.....	8,663.76	Do.
Shaughnessy, M. V.....	do.....	3,774.64	Do.
Smith, Louis E.....	do.....	10,246.08	Do.
Stanger, D. M.....	do.....	8,868.24	Do.
Thomas, C. G.....	do.....	10,246.08	Do.
Vought, M. R.....	do.....	10,246.08	Do.
Williams, D. M.....	do.....	4,596.80	Do.
Castellanos, H. M.....	Clerk (typing).....	3,918.40	Clerical and typing.
Hudson, Lucile B.....	do.....	2,311.68	Do.

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

Name	Title	Salary paid	Duties
REFEREES			
Colburn, William H.; 41 days @ \$100 per day.	-----	4,100.00	Sat with division as a member to make awards upon failure of division to agree or secure majority vote.
Coffey, A. Langley; 10 days @ \$100 per day.	-----	1,000.00	Do.
Dolnick, David; 1 day @ \$100 per day.	-----	100.00	Do.
Dorsey, John H.; 73 days @ \$100 per day.	-----	7,300.00	Do.
Dugan, Paul C.; 37½ days @ \$100 per day.	-----	3,750.00	Do.
Gilden, Harold M.; 63 days @ \$100 per day.	-----	6,300.00	Do.
McGovern, John J.; 68 days @ \$100 per day.	-----	6,800.00	Do.
Murphy, Francis B.; 5 days @ \$100 per day.	-----	500.00	Do.
Stark, Arthur; 53¼ days @ \$100 per day.	-----	5,325.00	Do.
Zumas, Nicholas H.; 63 days @ \$100 per day.	-----	6,300.00	Do.
THIRD DIVISION			
Schulty, S. H.-----	Executive secretary-----	15,524.16	Administration of affairs of division.
Paulos, A. W.-----	Assistant executive secretary.	10,578.24	Assists executive secretary.
Bulis, Eugenia.-----	Secretary (confidential assistant).	9,455.28	Secretarial, stenographic, and clerical.
Carley, Yvonne M.-----	do-----	3,027.84	Do.
Donfris, V. D.-----	do-----	8,467.84	Do.
Frey, Catherine E.-----	do-----	10,246.08	Do.
Glassman, Sarah-----	do-----	8,366.64	Do.
Harding, Edna L.-----	do-----	9,207.36	Do.
LaChance, K. V.-----	do-----	9,455.28	Do.
Price, Georgia L.-----	do-----	8,663.76	Do.
Rafti, Joan M.-----	do-----	5,536.00	Do.
Schiller, Betty J.-----	do-----	9,019.84	Do.
Telma, D. A.-----	Secretary (administrative assistant).	7,895.84	Do.
Vorphal, Joan A.-----	Secretary (confidential assistant).	9,811.36	Do.
Czerwonka, V. C.-----	Clerk (typing)-----	7,647.60	Clerical and typing.
Wozniak, B. C.-----	do-----	7,518.72	Do.
Parker, Bruno J.-----	Clerk-----	6,845.52	Clerical.
REFEREES			
Brown, David H.; 28½ days @ \$100 per day.	-----	2,850.00	Sat with division as a member to make awards upon failure of division to agree or secure majority vote.
Criswell, John B.; 2¼ days @ \$100 per day.	-----	225.00	Do.
Devine, Arthur W.; 124¼ days @ \$100 per day.	-----	12,425.00	Do.
Dolnick, David; 43 days @ \$100 per day.	-----	4,300.00	Do.
Dorsey, John H.; 19 days @ \$100 per day.	-----	1,900.00	Do.
Dugan, Paul C.; 75½ days @ \$100 per day.	-----	7,550.00	Do.
Ellis, Charles W.; 42 days @ \$100 per day.	-----	4,200.00	Do.
Gladen, Don; 39 days @ \$100 per day.	-----	3,900.00	Do.
Goodman, Jerry L.; 27¾ days @ \$100 per day.	-----	2,775.00	Do.

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

Name	Title	Salary paid	Duties
REFEREES			
Jones, James R.; 16¼ days @ \$100 per day.	-----	1,625.00	Do.
Kabaker, David L.; 51½ days @ \$100 per day.	-----	5,150.00	Do.
McCandless, Robert C.; 70½ days @ \$100 per day.	-----	7,050.00	Do.
McGovern, John J.; 90 days @ \$100 per day.	-----	9,000.00	Do.
Mesigh, Herbert J.; 4 days @ \$100 per day.	-----	400.00	Do.
Quinn, Francis X.; 31 days @ \$100 per day.	-----	3,100.00	Do.
Rambo, Dan; 36 days @ \$100 per day.	-----	3,600.00	Do.
Ritter, Gene T.; 51 days @ \$100 per day.	-----	5,100.00	Do.
Rohman, Murray M.; 31¼ days @ \$100 per day.	-----	3,125.00	Do.
Yagoda, Louis; 41½ days @ \$100 per day.	-----	4,150.00	Do.
FOURTH DIVISION			
Humfreville, M. L.	Executive secretary ¹	\$11,336.24	Administration of affairs of division.
Adams, H. V.	Secretary (confidential assistant).	10,246.08	Secretarial, stenographic and clerical.
Castellanos, H. M.	Secretary (administrative assistant).	1,350.72	Do.
Hudson, Lucile B.	do	5,281.52	Do.
Tichacek, James R.	Secretary (confidential assistant).	8,686.64	Do.
REFEREES			
Bailer, Lloyd H.; 22½ days @ \$100 per day.	-----	2,250.00	Sat with division as a member to make awards upon failure of division to agree or secure majority vote.
Dorsey, John H.; 30 days @ \$100 per day.	-----	3,000.00	Do.
Larkin, John Day; 17 days @ \$100 per day.	-----	1,700.00	Do.
Seidenberg, Jacob; 7½ days @ \$100 per day.	-----	750.00	Do.
Weston, Harold M.; 52¼ days @ \$100 per day.	-----	5,225.00	Do.

¹ Dual assignment effective Jan. 25, 1970.

FIRST DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

220 South State Street Chicago, Ill. 60604

ORGANIZATION OF THE DIVISION, FISCAL YEAR 1969-70

DON A. MILLER, *Chairman*
E. T. HORSLEY, *Vice Chairman*

J. E. CARLISLE
G. T. DuBOSE¹
W. F. EUKER
Q. C. GABRIEL

W. A. HIRST
K. LEVIN²
T. F. STRUNCK

E. A. KILLEEN, *Executive Secretary*³
MURIEL L. HUMFREVILLE, *Executive Secretary*⁴

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 employes or groups of employes and carriers involving train and yard service employes; that is, engineers, firemen, hostlers, and outside hostler helpers, conductors, trainmen, and yard service employes.

Cases docketed fiscal year 1969-70; classified according to carrier party to submission

<i>Name of carrier</i>	<i>Number of cases docketed</i>	<i>Name of carrier</i>	<i>Number of cases docketed</i>
Ann Arbor.....	7	New Orleans Union Passenger Terminal.....	1
Atchison, Topeka and Santa Fe.....	1	Norfolk and Western.....	1
Belt Railway of Chicago.....	1	Northern Pacific.....	4
Central of Georgia.....	4	Penn-Central.....	1
Colorado and Southern.....	5	Reading.....	9
Denver and Rio Grande Western.....	8	Seaboard Coast Line.....	1
Duluth, Missabe and Iron Range.....	1	Southern.....	2
Great Northern.....	1	Southern Pacific-Pacific.....	93
Illinois Central.....	17	Union Railroad Pittsburgh.....	1
Indiana Harbor Belt.....	1	Union Pacific.....	1
Jacksonville Terminal.....	1	Youngstown and Northern.....	1
Lake Terminal.....	18		
Louisville and Nashville.....	3		
Missouri Pacific.....	6	Total.....	192

Cases docketed fiscal year 1969-70; classified according to organization party to submission

<i>Name of organization</i>	<i>Number of cases docketed</i>	<i>Name of organization</i>	<i>Number of cases docketed</i>
United Transportation Union—		United Transportation Union—	
Conductors.....	0	Switchmen.....	1
United Transportation Union—		Engineers.....	15
Enginemen.....	130	Individual.....	11
United Transportation Union—			
Trainmen.....	35	Total.....	192

¹ Membership abolished Apr. 23, 1970. See Public Law 91-234.

² Membership abolished Apr. 23, 1970. See Public Law 91-234.

³ Reassigned to Second Division, Jan. 19, 1970.

⁴ Succeeded Mr. Killeen, Jan. 19, 1970.

SECOND DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

220 South State Street, Chicago, Ill. 60604

MEMBERSHIP

D. S. ANDERSON, *Chairman*
E. J. McDERMOTT
R. E. STENZINGER
O. L. WERTZ
E. H. WOLFE

H. S. TANSLEY, *Vice Chairman*¹
H. F. M. BRAIDWOOD
W. R. HARRIS
P. R. HUMPHREYS
J. R. MATHIEU²

E. A. KILLEEN, *Executive Secretary*³

JURISDICTION

Second Division: To have jurisdiction over disputes involving machinists, boiler-makers, blacksmiths, sheetmetal workers, electrical workers, carmen, the helpers and apprentices of all of the foregoing, coach cleaners, power-house employes, and railroad shop laborers.

Carriers party to cases docketed

	<i>Number of cases</i>		<i>Number of cases</i>
Alton & Southern Railway Co....	3	Illinois Terminal Railroad Co....	1
Atchison, Topeka & Santa Fe Railway Co.....	1	Lehigh Valley Railroad Co.....	2
Baltimore & Ohio Railroad Co....	5	Long Island Railroad.....	1
Burlington Northern Inc.....	2	Missouri-Kansas-Texas Railroad Co.....	1
Chesapeake & Ohio Railway Co....	12	Missouri Pacific Railroad Co....	26
Chicago, Milwaukee, St. Paul & Pacific Railroad Co.....	2	New Orleans Public Belt Railroad	1
Chicago, Rock Island & Pacific Railroad Co.....	5	Norfolk & Western Railway Co..	38
Chicago Union Station Co.....	1	Penn Central Transportation Co..	5
Cincinnati Union Terminal Co....	2	Port Terminal Railroad Associa- tion.....	1
Denver & Rio Grande Western Railroad Co.....	1	Pullman Co., The.....	2
Detroit, Toledo & Ironton Rail- road Co.....	1	Reading Co.....	7
Duluth, Missabe & Iron Range Railway Co.....	2	Richmond, Fredericksburg & Po- tomac Railroad Co.....	1
Duluth, Winnipeg & Pacific Rail- way Co.....	1	St. Louis Southwestern Railway Co.....	5
Elgin, Joliet & Eastern Railway Co.....	1	Seaboard Coast Line Railroad Co..	11
Erie-Lackawanna Railway Co....	1	Soo Line Railroad Co.....	2
Grand Trunk Western Railroad Co.....	1	Southern Pacific Co. (Pacific Lines).....	9
Great Northern Railway Co.....	2	Southern Railway Co.....	2
Gulf, Mobile & Ohio Railroad Co..	6	Union Pacific Railroad Co.....	1
Illinois Central Railroad Co.....	10	Washington Terminal Co., The..	2
		Western Maryland Railway Co..	1
		Western Pacific Railroad Co.....	1
		Total.....	179

¹ Replaced F. P. Butler.

² Replaced H. K. Hagerman.

³ Replaced C. C. McCarthy.

Organizations, etc., party to cases docketed

	<i>Number of cases</i>		<i>Number of cases</i>
Brotherhood Railway Carmen of America-----	103	International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers-----	1
International Brotherhood of Electrical Workers-----	40	Sheet Metal Workers International Association-----	8
International Association of Machinists-----	12	Individually Submitted Cases, etc-----	7
International Brotherhood of Firemen, Oilers, Helpers Roundhouse and Railway Shop Laborers-----	8	Total-----	179

In addition to the cases regularly presented and docketed the Division has also been called upon to handle a substantial number of potential cases. Communications were received from many individuals seeking information as to the method and procedure to be followed in presenting cases for adjustment. Some correspondents complain of alleged violations of existing agreements; some attempt to file cases with the Division from properties upon which system boards of adjustment exist, while yet others relate disputes which might properly be submitted to the Division for adjustment. Such cases arose during the fiscal year ending June 30, 1970, and, in addition thereto much correspondence was carried on in connection with similar cases listed in the Division's reports for prior years. Many of these cases require special study and consideration involving a great deal of correspondence and consuming a considerable portion of the time of the division in an effort to secure the information necessary for the proper presentation and/or handling to a conclusion.

Examples of these cases originating during the fiscal year which ended June 30, 1970 are:

Frank Hogan, Pullman Co.; electrical worker.
 Robert L. Olson, Duluth, Winnipeg & Pacific Railroad Co.; fireman and oiler.
 Charles W. Guthrie, Louisville & Nashville Railroad Co.; machinist.
 Erwin W. Hawkins, Illinois Terminal Railroad Co.; carman.
 Evo R. Manzardo, Pullman Co.; machinist.
 Wayne D. Williams, Denver & Rio Grande Western Railroad Co.; carman.
 I. W. Seale, Atchison, Topeka & Santa Fe Railway Co.; fireman and oiler.
 M. Kinip, Kansas City Southern Railway Co.; machinist.
 Robert Sully, New York, New Haven & Hartford Railroad Co.; electrical worker.
 D. P. Neamond, Norfolk & Western Railway Co.; electrical worker.
 Walter O. Mann, Gulf, Mobile & Ohio Railroad Co.; fireman and oiler.
 Richard L. Young, Northern Pacific Railway Co.; machinist.
 T. G. Butler, Southern Railway Co.; carman.

THIRD DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

220 South State Street, Chicago, Ill. 60604

MEMBERSHIP

GERALD ORNDORFF, *Chairman*
G. C. WHITE, *Vice Chairman*
R. E. BLACK
P. C. CARTER
H. G. HARPER

W. B. JONES
G. P. KASAMIS
C. E. KIEF
G. L. NAYLOR
R. W. SMITH

STANLEY H. SCHULTY, *Executive Secretary*

The Third Division Supplemental Board was terminated by agreement between the participating parties effective June 30, 1969.

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

Carriers party to cases docketed

	Number of cases		Number of cases
Alton & Southern.....	1	Detroit, Toledo & Ironton.....	1
Ann Arbor.....	2	Duluth, Missabe & Iron Range..	11
Atchison, Topeka & Santa Fe....	9	Elgin, Joliet & Eastern.....	2
Atlanta & West Point.....	1	Erie-Lackawanna.....	12
Atlanta Terminal Co.....	1	Fort Worth & Denver.....	2
Baltimore & Ohio.....	3	Grand Trunk Western.....	1
Belt Railway of Chicago.....	7	Great Northern.....	3
Boston & Maine.....	5	Gulf, Mobile & Ohio.....	1
Burlington Northern.....	10	Illinois Central.....	8
Butte, Anaconda & Pacific.....	1	Illinois Terminal.....	1
Central Railroad Co. of New Jersey.....	1	Indianapolis Union Railway.....	1
Central Vermont.....	1	Interstate Railroad Co.....	1
Chesapeake & Ohio.....	9	Kansas City Southern.....	1
Chicago & Eastern Illinois.....	2	Kansas City Terminal.....	7
Chicago & North Western.....	8	Kentucky & Indiana Terminal...	2
Chicago & Western Indiana.....	3	Lehigh Valley.....	12
Chicago, Burlington & Quincy...	6	Long Island.....	12
Chicago, Milwaukee, St. Paul & Pacific.....	10	Louisville & Nashville.....	15
Chicago, Rock Island & Pacific..	14	Minnesota Transfer Co.....	1
Cincinnati Union Terminal.....	1	Missouri-Kansas-Texas.....	2
Colorado & Southern.....	1	Missouri Pacific.....	14
Dayton Union Railway Co.....	1	New Orleans Public Belt.....	1
Delaware & Hudson.....	3	New York, Susquehanna & West- ern.....	2
Denver & Rio Grande Western...	5	Norfolk & Western.....	25
Detroit & Toledo Shoreline.....	1	Northern Pacific.....	14
		Pacific Fruit Express.....	2

Carriers party to cases docketed—Continued

	<i>Number of cases</i>		<i>Number of cases</i>
Penn Central.....	54	Southern Pacific (Pacific Lines).....	30
Pennsylvania Reading Seashore..	2	Southern Pacific (Texas & Louisiana Lines).....	1
Peoria & Pekin Railway.....	1	Spokane, Portland & Seattle.....	2
Port Terminal Railroad Association.....	3	Texas and Pacific.....	7
Pullman.....	5	Texas City Terminal.....	1
Railway Express Agency.....	1	Tidewater Southern.....	1
Reading.....	2	Union Pacific.....	6
St. Louis-San Francisco.....	26	Union Terminal.....	1
St. Louis Southwestern.....	2	Washington Terminal.....	1
Sand Springs Railway Co.....	2	Western Maryland.....	6
Seaboard Coast Line.....	38	Western Pacific.....	8
Soo Line.....	6		
Southern.....	4	Total.....	470

Organizations party to cases docketed

American Train Dispatchers Association.....	36	Joint Council of Dining Car Employees.....	4
Brotherhood of Maintenance of Way Employees.....	71	Transportation-Communication Employees Union.....	76
Brotherhood of Railroad Signalmen.....	94	Miscellaneous Class of Employees.....	29
Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.....	159	United Transportation Union.....	1
		Total.....	470

FOURTH DIVISION—NATIONAL RAILROAD ADJUSTMENT BOARD

220 South State Street, Chicago, Ill. 60604

A. T. OTTO, JR., *Chairman*
C. A. CONWAY, *Vice Chairman*
D. P. LEE
J. F. MORRISSEY

W. J. RYAN ¹
J. P. TAHEY
J. W. WHITEHOUSE ²

M. L. HUMFREVILLE, *Executive Secretary*

JURISDICTION

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

Carriers party to cases docketed

	<i>Number of cases</i>		<i>Number of cases</i>
Ann Arbor Railroad Co.....	1	Lakefront Dock & Railroad Terminal.....	1
Atchison, Topeka & Santa Fe Railroad Co.....	1	Lehigh Valley Railroad Co.....	5
Baltimore & Ohio Chicago Terminal Railroad Co.....	1	Long Island Rail Road Co., The.....	3
Baltimore & Ohio Railroad Co.....	3	Louisville & Nashville Railroad Co.....	2
Baltimore & Ohio Railroad Co. (SIRT).....	1	Missouri-Kansas-Texas Railroad Co.....	1
Burlington Northern, Inc.....	4	Norfolk & Western Railway Co. (Lake Region).....	7
Central Railroad Company of New Jersey, The.....	1	Norfolk & Western Railway Co. (Wab.).....	4
Chesapeake & Ohio Railway Co. (Chesapeake District).....	3	Norfolk & Western Railway Co. (Wab.).....	5
Chicago & Northwestern Railway Co.....	3	Penn Central Co.....	12
Chicago, Milwaukee, St. Paul & Pacific Railroad Co.....	7	Pittsburgh & Lake Erie Railroad Co., The.....	1
Chicago, Rock Island & Pacific Railroad Co., The.....	1	Reading Co.....	1
Denver & Rio Grande Western Railroad Co., The.....	2	Seaboard Coast Line Railroad Co.....	1
Elgin, Joliet & Eastern Railway Co.....	2	Soo Line Railroad Co.....	1
Erie Lackawanna Railroad Co.....	3	Terminal Railroad Association of St. Louis.....	1
		Union Pacific Railroad Co.....	1
		Union Railroad (Pittsburgh).....	1
		Total.....	80

Organizations—Employees party to cases docketed

	<i>Number of cases</i>		<i>Number of cases</i>
American Railway Supervisors Association, The.....	19	Railway Employees Dept., AFL-CIO.....	6
International Longshoremen's Association, Local 1913.....	1	Railway Patrolmen & Security Officers Section, Allied Services Division, BRAC (RPIU).....	3
Lighter Captains' Union, Local 996, ILA, AFL-CIO.....	8	United Transportation Union (BRT).....	3
Miscellaneous Classes of Employees.....	3		
Railroad Yardmasters of America.....	37	Total.....	80

¹ Retired.

² Succeeded W. J. Ryan, Nov. 5, 1969.

APPENDIX B

1. *Neutrals appointed pursuant to Public Law 89-456 (Public Law Boards), fiscal year 1970*

Name	Residence	Date of appointment	Public Law Board No.	Parties
Jacob Seidenberg ²	Falls Church, Va.	Dec. 11, 1969	52	River Terminal Ry. Co. and United Transportation Union (E).
Robert O. Boyd ¹	Washington, D.C.	Nov. 21, 1969	105	Maine Central RR. Co. and United Transportation Union (C).
Jerone J. Lande ¹	New York, N.Y.	Aug. 22, 1969 ²	174	Long Island Rail Road Co. and Brotherhood Railway Carmen of the United States and Canada.
Arthur Stark ²	do.	May 2, 1970 ⁴	174	Do.
Harold M. Gilden ²	Chicago, Ill.	Oct. 16, 1969	191	Norfolk & Western Ry. (LE&W Dist.) and United Transportation Union (E).
Paul C. Dugan ¹	Kansas City, Mo.	Oct. 30, 1969	241	St. Louis-San Francisco Ry. Co. and United Transportation Union (T).
Lloyd H. Bailer ²	Los Angeles, Calif.	Dec. 2, 1969	249	Norfolk & Western Ry. Co. and Brotherhood of Maintenance of Way Employees.
Paul D. Hanlon ²	Milton Village, Mass.	Mar. 11, 1970	252	Spokane, Portland & Seattle Ry. Co. and United Transportation Union (T).
Howard A. Johnson ²	Butte, Mont.	Sept. 26, 1969	269	Atchison, Topeka & Santa Fe Ry. Co. and United Transportation Union (T).
Gene T. Ritter ²	Ardmore, Okla.	Feb. 12, 1970	274	St. Louis Southwestern Railway Lines and Transportation-Communication Division, Brotherhood of Railway, Airline & Steamships Clerks, Freight Handlers, Express & Station Employees.
John F. Sembower ²	Chicago, Ill.	Feb. 10, 1970	275	Ahnapee & Western Ry. Co. and United Transportation Union (E).
David Dolnick ²	do.	July 11, 1969	296	Atchison, Topeka & Santa Fe Ry. Co. and United Transportation Union (T).
A. W. Epstein ²	New York, N.Y.	Oct. 24, 1969	301	New York, Susquehanna & Western RR. Co. and Brotherhood of Maintenance of Way Employees.
Charles Ellis ²	Oklahoma City, Okla.	Mar. 19, 1970	304	Indiana Harbor Belt RR. Co. and United Transportation Union (T).
Do. ²	do.	Sept. 4, 1969	317	Western Pacific RR. Co. and Brotherhood of Railroad Signalmen.
Jacob Seidenberg ²	Falls Church, Va.	Jan. 16, 1970	321	Great Northern Ry. Co. and United Transportation Union (C).
David Dolnick ²	Chicago, Illinois	Oct. 22, 1969	322	Illinois Northern Ry. and United Transportation Union (E).
Robert O. Boyd ²	Washington, D.C.	July 16, 1969	323	Norfolk & Western Ry. Co. (Atlantic & Pocahontas Reg.) and United Transportation Union (E).
David R. Douglass ²	Oklahoma City, Okla.	June 17, 1970	334	St. Louis Southwestern Ry. Co. and United Transportation Union (E).
Arthur W. Sempliner ²	Grosse Pointe Farms, Mich.	Sept. 9, 1969	340	Butte, Anaconda & Pacific Ry. Co. and United Transportation Union (E).
Harold M. Weston ²	New York, N.Y.	Jan. 23, 1970	352	Louisville & Nashville RR. Co. and Transportation-Communication Division, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
Robert O. Boyd ²	Washington, D.C.	July 28, 1969	359	Bessemer & Lake Erie Railroad Co. and United Transportation Union (E).
Harold M. Weston ²	New York, N.Y.	Aug. 18, 1969	363	Long Island Rail Road and United Transportation Union (T).
Preston J. Moore ²	Oklahoma City, Okla.	Aug. 4, 1969	370	Detroit, Toledo & Ironton RR. Co. and United Transportation Union (T).
Robert O. Boyd ²	Washington, D.C.	Oct. 14, 1969	375	Clinchfield Railroad Co. and United Transportation Union (E).
John F. Sembower ²	Chicago, Ill.	May 5, 1970	380	Chicago & Eastern Illinois RR. Co. and United Transportation Union (E).
Arnold M. Zack ¹	Boston, Mass.	Sept. 29, 1969	382	Delaware & Hudson Ry. Co. and United Transportation Union (E).
Paul D. Hanlon ²	Milton Village, Mass.	Nov. 12, 1969	382	Do.
Paul N. Guthrie ²	Chapel Hill, N.C.	Aug. 18, 1969	384	Alabama Great Southern RR. (Southern) and United Transportation Union (E).
Jacob Seidenberg ²	Falls Church, Va.	Dec. 4, 1969	385	South Buffalo Ry. Co., Steelton & Highspire RR. Co., Conemaugh & Black Lick RR. Co., Patapsco & Back Rivers RR. Co. and United Transportation Union (E).
Gene T. Ritter ²	Ardmore, Okla.	Sept. 3, 1969	398	Norfolk & Western Ry. Co. and Brotherhood of Railroad Signalmen.

See footnotes at end of table.

1. *Neutrals appointed pursuant to Public Law 89-456 (Public Law Boards), fiscal year 1970—Continued*

Name	Residence	Date of appointment	Public Law Board No.	Parties
A. Langley Coffey ² -----	Sand Springs, Okla.-----	July 17, 1969	399	Baltimore & Ohio RR. Co. and United Transportation Union (T).
Paul D. Hanlon ² -----	Milton Village, Mass.-----	July 7, 1969	402	Tennessee, Alabama & Georgia Ry. Co. and Brotherhood of Locomotive Engineers.
Do. ² -----	do-----	do-----	403	Portland Terminal RR. Co. and United Transportation Union (S).
Robert O. Boyd ² -----	Washington, D.C.-----	Oct. 3, 1969	404	Detroit, Toledo & Ironton RR. Co. and United Transportation Union (E).
John Criswell ² -----	do-----	July 16, 1969	405	St. Louis-San Francisco Ry. Co. and T-C Division, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
J. Harvey Daly ¹ -----	Bowie, Md.-----	July 10, 1969	406	Baltimore & Annapolis RR. Co. (Bus Lines) and United Transportation Union (T).
David H. Stowe ² -----	Washington, D.C.-----	Nov. 19, 1969	406	Do.
Murray M. Rohman ¹ -----	Fort Worth, Tex.-----	July 11, 1969	407	Louisville & Nashville Railroad Co. and United Transportation Union (E).
Howard A. Johnson ² -----	Butte, Mont.-----	Oct. 28, 1969	407	Do.
David H. Stowe ¹ -----	Washington, D.C.-----	July 14, 1969	408	Southern Railway System and United Transportation Union (E).
Paul N. Guthrie ² -----	Chapel Hill, N.C.-----	Nov. 19, 1969	408	Do.
Phillip G. Sheridan ¹ -----	Eyevett, Wash.-----	July 15, 1969	409	Union Pacific RR. Co. (Western Dist. N.) and United Transportation Union (E).
David H. Stowe ² -----	Washington, D.C.-----	Sept. 29, 1969	410	Des Moines Union Ry. Co. and United Transportation Union (S).
Lloyd H. Bailer ² -----	Los Angeles, Calif.-----	Aug. 22, 1969	411	California Western RR. Co. and United Transportation Union (E).
Charles Ellis ² -----	Oklahoma City, Okla.-----	Oct. 22, 1969	412	Winston-Salem Southbound Ry. Co. and United Transportation Union (T).
Jacob Seidenberg ² -----	Falls Church, Va.-----	July 14, 1969	413	Atchison, Topeka & Santa Fe Railway Co. and Brotherhood of Locomotive Engineers.
Preston J. Moore ² -----	Oklahoma City, Okla.-----	Aug. 22, 1969	414	Atchison, Topeka & Santa Fe Ry. (Coast Lines) and United Transportation Union (T).
David Dolnick ² -----	Chicago, Ill.-----	July 15, 1969	415	Chicago & Illinois Midland Ry Co. and United Transportation Union (E).
Leo Kotin ¹ -----	Sherman Oaks, Calif.-----	Aug. 25, 1969	416	Union Pacific RR. Co. (Southwest Dist.) and United Transportation Union (T).
Preston J. Moore ² -----	Oklahoma City, Okla.-----	April 27, 1970	416	Do.
David Dolnick ¹ -----	Chicago, Ill.-----	Aug. 21, 1969	417	Penn Central Co. (former New York Central-Illinois Division, Indiana Harbor Belt RR.) and Brotherhood of Locomotive Engineers.
Lee R. West ² -----	Ada, Okla.-----	July 22, 1969	418	Gulf, Mobile & Ohio RR. Co. and T-C Division, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
Paul D. Hanlon ² -----	Milton Village, Mass.-----	Aug. 18, 1969	419	Delaware & Hudson Ry. Co. and Brotherhood of Locomotive Engineers.
Do. ² -----	do-----	do-----	420	Lake Terminal Railroad Co. and United Transportation Union (E).
David R. Douglass ² -----	Oklahoma City, Okla.-----	Aug. 13, 1969	421	Louisville & Nashville RR. Co. (NC&StL Dist.) and United Transportation Union (T).
Martin I. Rose ² -----	New York, N.Y.-----	Aug. 12, 1969	422	Pittsburgh & Lake Erie RR. Co., Lake Erie & Eastern RR. Co. and Transport Workers Union of America.
Robert O. Boyd ² -----	Washington, D.C.-----	Aug. 20, 1969	423	Kansas City Southern Ry. Co., Chicago, Milwaukee, St. Paul & Pacific Ry. Co., and the Milwaukee-affiliated employees of Milwaukee-Kansas City Southern Joint Agency and United Transportation Union (T).
Jacob Seidenberg ² -----	Falls Church, Va.-----	Aug. 6, 1969	424	Montour Railroad Co. and United Transportation Union (E).
Lloyd H. Bailer ² -----	Los Angeles, Calif.-----	Aug. 22, 1969	425	The Reading Company and Int'l Organization of Masters, Mates & Pilots, Loc. 14.
Robert O. Boyd ² -----	Washington, D.C.-----	Aug. 20, 1969	426	Norfolk & Western Railway Co. and Brotherhood of Locomotive Engineers.
David H. Brown ¹ -----	Sherman, Tex.-----	Aug. 21, 1969 ^s	427	Atchison Topeka & Santa Fe Ry. (Proper) and United Transportation Union (E).
David H. Stowe ¹ -----	Washington, D.C.-----	Feb. 10, 1970	427	Do.
Harold M. Gilden ² -----	Chicago, Ill.-----	Aug. 19, 1969	428	Atlanta & West Point Rail Road Co., The Western Railway of Alabama, Atlanta Joint Terminals and Sheet Metal Workers International Association.

John Criswell ²	Washington, D.C.	Oct. 6, 1969	429	Seaboard Coast Line RR. Co. and T-C Division, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
Preston J. Moore ²	Oklahoma City, Okla.	Dec. 9, 1969	430	Fairport, Painesville & Eastern RR. Co. and United Transportation Union (E).
John H. Dorsey ²	Washington, D.C.	Aug. 25, 1969	431	Norfolk & Western Ry. Co. and T-C Div., Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
Levi M. Hall ¹	Minneapolis, Minn.	Sept. 26, 1969	432	Northern Pacific Ry. Co. and United Transportation Union (E).
David H. Stowe ²	Washington, D.C.	Jan. 26, 1970	432	Do.
Harold M. Weston ²	New York, N.Y.	Sept. 26, 1969	433	Louisville & Nashville RR. Co. and T-C Division, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
Robert O. Boyd ²	Washington, D.C.	Sept. 3, 1969	434	Chicago & North Western Ry. Co. and United Transportation Union (E).
Preston J. Moore ²	Oklahoma City, Okla.	Sept. 5, 1969	435	Union Pacific RR. Co. and United Transportation Union.
Paul D. Hanlon ²	Milton Village, Mass.	Oct. 7, 1969	436	Southern Pacific Co. (T&L) Lines and United Transportation Union (S).
Do. ²	do.	Sept. 15, 1969	437	Portland Terminal RR. Co. and United Transportation Union (E).
Do. ²	do.	Sept. 30, 1969	438	Indianapolis Union Ry. Co. and Brotherhood of Locomotive Engineers.
Robert O. Boyd ²	Washington, D.C.	Sept. 23, 1969	439	Western Maryland Ry. Co. and United Transportation Union (E).
Jacob Seidenberg ²	Falls Church, Va.	Oct. 7, 1969	440	Union Pacific RR. Co. and United Transportation Union (E).
Martin I. Rose ²	New York, N. Y.	Sept. 17, 1969	441	Erie Lackawanna Ry. Co. (Eastern Dist.) and United Transportation Union (E).
Paul D. Hanlon ²	Milton Village, Mass.	Oct. 7, 1969	442	Cuyahoga Valley Ry. Co. and United Transportation Union (E).
Morris L. Myers ²	San Francisco, Calif.	Sept. 29, 1969	443	Atchison, Topeka & Santa Fe Ry. Co. (Western Lines) and United Transportation Union (T).
Robert O. Boyd ²	Washington, D.C.	Oct. 28, 1969	444	The Western Pacific RR. Co. and Brotherhood of Locomotive Engineers.
Lloyd H. Bailer ²	Los Angeles, Calif.	Oct. 3, 1969	445	Southern Pacific Co. (T&L Lines) and Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
A. Langley Coffey ²	Sand Springs, Okla.	Oct. 2, 1969	446	Chicago, West Pullman & Southern RR. Co. and United Transportation Union (T).
David L. Kabaker ¹	Cleveland, Ohio	Oct. 23, 1969	447	Chesapeake & Ohio Ry. Co. (Lines North) and United Transportation Union (T).
Jacob Seidenberg ²	Falls Church, Va.	Sept. 30, 1969	448	Chicago, Milwaukee, St. Paul & Pacific RR. Co. (Lines West) and United Transportation Union (E).
Paul H. Sanders ²	Nashville, Tenn.	Oct. 28, 1969	449	Seaboard Coast Line RR. Co. and United Transportation Union (T).
Preston J. Moore ²	Oklahoma City, Okla.	Oct. 2, 1969	451	Atchison, Topeka & Santa Fe Ry. Co. (Eastern Lines) and United Transportation Union (T).
Paul D. Hanlon ²	Milton Village, Mass.	Oct. 7, 1969	452	St. Louis Southwestern Ry. Co. and Brotherhood of Locomotive Engineers.
Jacob Seidenberg ²	Falls Church, Va.	Oct. 6, 1969	453	Western Maryland Ry. Co. and T-C Div., Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
David Dolnick ²	Chicago, Ill.	Oct. 9, 1969	454	Chesapeake & Ohio Ry. Co. (Pere Marquette Dist.) and Brotherhood of Locomotive Engineers.
Robert O. Boyd ²	Washington, D.C.	Dec. 18, 1969	455	Modesto & Empire Traction Co. and United Transportation Union (S).
Jacob Seidenberg ²	Falls Church, Va.	Oct. 9, 1969	456	The Pullman Co. and United Transportation Union (C).
Paul D. Hanlon ²	Milton Village, Mass.	Oct. 29, 1969	457	Louisville & Nashville RR. Co. and United Transportation Union (T).
Jacob Seidenberg ²	Falls Church, Va.	Oct. 14, 1969	458	South Buffalo Ry. Co. and United Transportation Union (T).
Do. ²	do.	Oct. 22, 1969	459	Baltimore & Ohio RR. Co. (Toledo Div.) and Brotherhood of Locomotive Engineers.
David H. Stowe ²	Washington, D.C.	Oct. 28, 1969	460	Seaboard Coast Line RR. Co. and Brotherhood of Locomotive Engineers.
David R. Douglass ²	Oklahoma City, Okla.	Oct. 24, 1969	461	Union Pacific RR. Co. (Eastern Dist.) and Brotherhood of Locomotive Engineers.
Francis B. Murphy ²	Atlanta, Ga.	do.	462	Peoria & Pekin Union Ry. Co. and United Transportation Union (T).
Arnold M. Zack ²	Boston, Mass.	Mar. 17, 1970	463	Erie Lackawanna Ry. Co. and United Transportation Union (T).
Norris Bakke ¹	Mayville, N.D.	Dec. 4, 1969	464	Northern Pacific Ry. Co. and United Transportation Union (T).
John H. Dorsey ²	Washington, D.C.	Mar. 18, 1970	464	Do.
Martin I. Rose ²	New York, N.Y.	Nov. 4, 1969	466	Boston & Maine RR. Co. and United Transportation Union (E).
Jacob Seidenberg ²	Falls Church, Va.	Nov. 10, 1969	467	Chicago, Milwaukee, St. Paul and Pacific RR. Co. and United Transportation Union (S).
Do. ²	do.	do.	468	Penn Central Co. (New Haven Region) & Brotherhood of Locomotive Engineers.

See footnotes at end of table.

1. *Neutrals appointed pursuant to Public Law 89-456 (Public Law Boards), fiscal year 1970—Continued*

Name	Residence	Date of appointment	Public Law Board No.	Parties
Paul D. Hanlon ² -----	Milton Village, Mass-----	Dec. 12, 1969	469	Indianapolis Union Ry. Co. and United Transportation Union (S).
Martin I. Rose ² -----	New York, N.Y.-----	Nov. 12, 1969	470	Boston & Maine Corporation and Brotherhood of Locomotive Engineers.
Robert O. Boyd ² -----	Washington, D.C.-----	Jan. 27, 1970	471	Duluth, Missabe & Iron Range Ry. Co. (Missabe Div.) and United Transportation Union (C).
Jacob Seidenberg ² -----	Falls Church, Va.-----	Nov. 17, 1969	472	Lehigh Valley RR. Co. and Brotherhood of Locomotive Engineers.
Byron R. Abernethy ² -----	Lubbock, Tex.-----	Nov. 25, 1969	473	Union Pacific RR. Co. and Brotherhood of Locomotive Engineers.
Jacob Seidenberg ² -----	Falls Church, Va.-----	Nov. 14, 1969	474	Southern Ry. Co., The Cincinnati, New Orleans & Texas Pacific Ry. Co., The Alabama Great Southern RR. Co. (including the former New Orleans & Northeastern RR. Co.) and Brotherhood of Locomotive Engineers.
Arthur W. Sempliner ² -----	Grosse Pointe Farms, Mich.--	Nov. 21, 1969	475	Soo Line RR. Co. and United Transportation Union (T).
Lloyd H. Bailer ¹ -----	Los Angeles, Calif.-----	Dec. 11, 1969	476	Atchison, Topeka & Santa Fe Ry. Co. (Coast Lines) and United Transportation Union (C).
John Criswell ² -----	Washington, D.C.-----	Apr. 13, 1970	476	Do.
John H. Dorsey ² -----	do.-----	Dec. 2, 1969	477	Missouri-Kansas-Texas RR. Co. and Brotherhood of Maintenance of Way Employees.
John Criswell ¹ -----	do.-----	Dec. 3, 1969	478	Seaboard Coast Line RR. Co. (Pullman Conductors) and United Transportation Union (C).
Do. ² -----	do.-----	Mar. 17, 1970	479	Seaboard Coast Line RR. Co. and United Transportation Union (C).
Nelson Bortz ¹ -----	Bethesda, Md.-----	Dec. 4, 1969	480	Chesapeake & Ohio Ry. Co. and T-C Div., Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
John Criswell ² -----	Washington, D.C.-----	Apr. 14, 1970	480	Do.
Preston J. Moore ² -----	Oklahoma City, Okla.-----	Dec. 8, 1969	481	Missouri Pacific RR. Co. and United Transportation Union (T).
Do. ² -----	do.-----	do.-----	482	Kansas City Southern Ry. Co., Louisiana & Arkansas Ry. Co. and United Transportation Union (C).
Howard A. Johnson ² -----	Butte, Mont.-----	Dec. 17, 1969	483	Duluth, Missabe & Iron Range Ry. Co. and United Transportation Union (E).
Preston J. Moore ² -----	Oklahoma City, Okla.-----	Jan. 13, 1970	484	Ogden Union Railway & Depot Co. and United Transportation Union (E).
Robert O. Boyd ² -----	Washington, D.C.-----	Dec. 24, 1969	485	Reading Co. and United Transportation Union (E).
Preston J. Moore ² -----	Oklahoma City, Okla.-----	Mar. 3, 1970	486	Maine Central Railroad, Portland Terminal and United Transportation Union (T-C).
Paul D. Hanlon ² -----	Milton Village, Mass.-----	Jan. 8, 1970	487	Soo Line RR. Co. and United Transportation Union (T).
Robert O. Boyd ² -----	Washington, D.C.-----	Dec. 29, 1969	488	Norfolk & Western Ry. Co. and Brotherhood of Locomotive Engineers.
John Criswell ¹ -----	do.-----	May 7, 1970	489	Pecos Valley Southern Ry. Co. and Brotherhood of Maintenance of Way Employees.
Paul C. Dugan ² -----	Kansas City, Mo.-----	Jan. 15, 1969	491	Kansas City Terminal Ry. Co. and United Transportation Union (E).
David Dolnick ² -----	Chicago, Ill.-----	Jan. 6, 1970	492	Chicago, West Pullman & Southern RR. Co. and United Transportation Union (T).
A. Langley Coffey ² -----	Sand Springs, Okla.-----	do.-----	493	Southern Pacific Co.-Texas & Louisiana Lines & United Transportation Union (S).
Arthur W. Sempliner ² -----	Grosse Pointe Farms, Mich.--	Jan. 29, 1970	494	Detroit & Toledo Shore Line RR. and United Transportation Union (T&C).
Preston J. Moore ² -----	Oklahoma City, Okla.-----	Jan. 14, 1970	495	Soo Line Railroad Co. and United Transportation Union (E).
Do. ² -----	do.-----	do.-----	496	Atchison, Topeka & Santa Fe Ry. Co. (Eastern Lines) and United Transportation Union (C&T).
Paul D. Hanon ² -----	Milton Village, Mass.-----	Jan. 29, 1970	497	Chicago, Rock Island & Pacific RR. Co., Fort Worth & Denver Ry. Co. and United Transportation Union (E).
Jacob Seidenberg ² -----	Falls Church, Va.-----	Jan. 21, 1970	498	Southern Railway System (Alabama Great Southern RR. Co., New Orleans & Northeastern RR. Co., Central of Georgia Ry.) and United Transportation Union (S).

David Dolnick ²	Chicago, Ill.	do.	499	Chicago River & Indiana RR. Co. and United Transportation Union (T).
Arthur W. Sempliner ²	Grosse Pointe Farms, Mich.	Jan. 23, 1970	500	Butte, Anaconda & Pacific Ry. Co. and United Transportation Union (E).
Preston J. Moore ²	Oklahoma City, Okla.	Feb. 4, 1970	501	Sacramento Northern Ry. Co. and United Transportation Union (S).
Arnold M. Zack ²	Boston, Mass.	Apr. 7, 1970	502	Canadian Pacific Ry.-Atlantic Region (Governing Service in U.S.) and United Transportation Union (T).
Jerome J. Lande ²	New York, N.Y.	Jan. 26, 1970	503	Central Railroad Co. of New Jersey and Brotherhood of Railroad Signalmen.
Robert O. Boyd ²	Washington, D.C.	Feb. 16, 1970	504	St. Louis-San Francisco Ry. Co. and United Transportation Union (E).
Preston J. Moore ²	Oklahoma City, Okla.	Mar. 18, 1970	506	Colorado & Wyoming Ry. Co. and United Transportation Union (E&T).
Harold M. Weston ²	New York, N.Y.	Feb. 25, 1970	507	The Pullman Co. and System Federation No. 122, Railway Employees' Dept. (AFL-CIO).
Preston J. Moore ²	Oklahoma City, Okla.	Apr. 22, 1970	508	Norfolk & Western Ry. Co. (Wabash) and United Transportation Union (T&C).
John J. McGovern ¹	Washington, D.C.	Feb. 10, 1970	509	Chesapeake & Ohio Ry. Co. and United Transportation Union (T).
David H. Brown ²	Sherman, Tex.	Feb. 9, 1970	510	Western Maryland Ry. Co. and United Transportation Union (T).
John Criswell ²	Washington, D.C.	Mar. 3, 1970	511	Louisiana & Arkansas Ry. Co. and Brotherhood of Locomotive Engineers.
John D. Larkin ²	Chicago, Illinois	Feb. 13, 1970	512	The Pullman Co. and Brotherhood of Sleeping Car Porters.
David H. Stowe ²	Washington, D.C.	Mar. 4, 1970	513	Pittsburgh & Lake Erie RR., Lake Erie & Eastern RR. Co. and United Transportation Union (T).
Daniel House ²	New York, N.Y.	Feb. 13, 1970	514	Elgin, Joliet & Eastern Ry. Co. and United Transportation Union (C).
Morris L. Myers ²	San Francisco, Calif.	Mar. 5, 1970	515	Pacific & Arctic Railway & Navigation Co., & United Transportation Union.
Jacob Seidenberg ²	Falls Church, Va.	Feb. 20, 1970	516	Chicago & North Western Ry. and Brotherhood of Railroad Signalmen.
Paul D. Hanlon ²	Milton Village, Mass.	Mar. 12, 1970	517	Central California Traction Co. and United Transportation Union (T).
John H. Dorsey ²	Washington, D.C.	Feb. 20, 1970	518	Union Railroad Co. and United Steelworkers of America.
David R. Douglass ²	Oklahoma City, Okla.	Mar. 9, 1970	519	Great Northern Ry. Co. and Brotherhood of Locomotive Engineers.
Alexander M. Freund ¹	Philadelphia, Pa.	May 28, 1970	520	Penn Central Co. and T-C Division, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
Daniel House ²	New York, N.Y.	June 12, 1970	521	Elgin, Joliet & Eastern Ry. Co. and United Transportation Union (T).
Preston J. Moore ²	Oklahoma City, Okla.	Mar. 3, 1970	522	Atchison, Topeka & Santa Fe Ry. Co. (Eastern Lines) and United Transportation Union (T).
Morrison Handsaker ¹	Easton, Pa.	Mar. 4, 1970	523	Penn Central Co. (Southern Region) and United Transportation Union (E).
Kieran P. O'Gallagher ²	Chicago, Ill.	May 21, 1970	523	Do.
Robert O. Boyd ²	Washington, D.C.	Apr. 22, 1970	524	Butte, Anaconda & Pacific Ry. Co. and United Transportation Union (T).
Jacob Seidenberg ²	Falls Church, Va.	Apr. 13, 1970	525	Denver & Rio Grande Western RR. Co. and United Transportation Union (C&T).
Morris L. Myers ²	San Francisco, Calif.	Mar. 17, 1970	526	Western Pacific RR. Co. and Brotherhood of Railroad Signalmen.
David H. Stowe ²	Washington, D.C.	Apr. 14, 1970 ⁵	527	Lehigh Valley RR. Co. and United Transportation Union (C&T).
Charles Ellis ²	Oklahoma City, Okla.	June 25, 1970	528	Detroit, Toledo & Ironton RR. Co. and United Transportation Union (T).
David R. Douglass ²	do.	Apr. 6, 1970	530	Chicago, Milwaukee, St. Paul & Pacific RR. Co. and United Transportation Union (T&C).
Preston J. Moore ²	do.	Mar. 26, 1970	532	Atchison, Topeka & Santa Fe Ry. Co. (Eastern Lines) and United Transportation Union (T).
Jacob Seidenberg ²	Falls Church, Va.	Apr. 2, 1970	536	Albion & Southern RR. Co. and United Transportation Union (E).
Murray M. Rohman ²	Forth Worth, Tex.	May 12, 1970	537	Atchison, Topeka & Santa Fe Ry. Co. and United Transportation Union (E).
Preston J. Moore ²	Oklahoma City, Okla.	May 4, 1970	538	Fairport, Painesville & Eastern Ry. Co. and United Transportation Union (E).
Do. ²	do.	Apr. 16, 1970	540	Western Pacific RR. Co. and United Transportation Union (S).
Do. ²	do.	May 12, 1970	541	Norfolk & Western Ry. Co. and United Transportation Union (E).
Jacob Seidenberg ²	Falls Church Va.	Apr. 22, 1970	542	Pittsburgh, Chartiers & Youghiogheny Ry. Co. and United Transportation Union (T).
Do. ²	do.	do.	543	Atchison, Topeka & Santa Fe Ry. Co. (Coast Lines) and Brotherhood of Locomotive Engineers.
Lloyd H. Bailer ²	Los Angeles, Calif.	June 8, 1970	546	Penn Central Transportation Co. (Ohio Central Lines) and United Transportation Union (T-E-C).
H. Raymond Cluster ²	Baltimore, Md.	May 27, 1970	547	Bessemer & Lake Erie RR. Co. and United Transportation Union (E).

See footnotes at end of table.

1. Neutrals appointed pursuant to Public Law 89-456 (Public Law Boards), fiscal year 1970—Continued

Name	Residence	Date of appointment	Public Law Board No.	Parties
John Criswell ¹	Washington, D.C.....	May 13, 1970	548	Penn Central Transportation Co. and American Railway Supervisors Association.
Do. ²	do.....	June 3, 1970	549	Southern Railway Co., Georgia Southern & Florida Ry. Co., Cincinnati, New Orleans & Texas Ry., Alabama Great Southern R.R. Co., New Orleans Terminal Co., Harriman & Northeastern R.R. Co., Carolina & Northwestern Ry. Co., Atlanta Terminal Co., and T-C. Division, Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
Louis Yagoda ²	New Rochelle, N.Y.....	May 26, 1970	550	Penn Central Transportation Co. and United Transportation Union (T).
Howard A. Johnson ²	Butte, Montana.....	June 12, 1970	551	Long Island Rail Road and Brotherhood of Locomotive Engineers.
Robert O. Boyd ²	Washington, D.C.....	May 13, 1970	553	Lake Terminal R.R. Co. and United Transportation Union (T).
Do. ²	do.....	May 19, 1970	554	Chicago, Milwaukee, St. Paul & Pacific Railroad Co. and Brotherhood of Locomotive Engineers.
Paul D. Hanlon ²	Milton Village, Mass.....	June 9, 1970	555	Central Vermont Ry., Inc. and United Transportation Union (T).
John F. Sembower ²	Chicago, Ill.....	June 4, 1970	557	Peoria & Pekin Union Ry. Co. and United Transportation Union (E).
Do. ²	do.....	June 2, 1970	561	Missouri Pacific R.R. Co. and Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees.
Paul D. Hanlon ²	Milton Village, Mass.....	June 9, 1970	563	Soo Line Railroad Co. and United Transportation Union (T&C).
Martin I. Rose ²	New York, N.Y.....	do.....	562	Penn Central Transportation Co. and Teamsters Union, Local No. 84.
Byron R. Abernethy ²	Lubbock, Tex.....	June 25, 1970	565	Union Pacific R.R. Co. (South Cent. Dist.) and United Transportation Union (C).
Nicholas H. Zumas ²	Washington, D.C.....	June 8, 1970	566	Penn Central Transportation Co. and Brotherhood of Maintenance of Way Employees.
Milton Friedman ¹	New York, N.Y.....	June 29, 1970	567	Kentucky & Indiana Terminal R.R. Co. and United Transportation Union (E).
Preston J. Moore ²	Oklahoma City, Okla.....	June 16, 1970	568	Atlanta & St. Andrews Bay Ry. Co. and United Transportation Union (E).
Robert O. Boyd ²	Washington, D.C.....	June 22, 1970	569	Birmingham Southern R.R. Co. and United Transportation Union (T).

¹ Procedural.

² Merits.

³ Board re-open to hear nine (9) cases.

⁴ Board re-open to hear one (1) case.

⁵ Neutral resigned.

2. Arbitrators appointed—Arbitration boards, fiscal year 1970

Name	Residence	Date of appointment	Arbitration and case number	Parties
Paul N. Guthrie.....	Chapel Hill, N.C.....	July 3, 1969	Arbitration 304, Case No. A-8475.....	Chesapeake & Ohio Railway Co.-Eastern & Central Region (excluding Hocking Division) and United Transportation Union.
Daniel House.....	New York, N.Y.....	Oct. 10, 1969	Arbitration 305, Case No. A.....	Pan American World Airways & Flight Engineers' International Association, PAA Chapter.

3. Arbitrators appointed—Special Board of Adjustment (Railroad), fiscal year 1970

Name	Residence	Date of appointment	Special Board No.	Parties
Preston J. Moore ¹	Oklahoma City, Okla.	June 23, 1970	148	Kansas City Southern RR. Co., Louisiana & Arkansas Ry. Co., Chicago, Milwaukee, St. Paul & Pacific Ry. Co., & Milwaukee-affiliated employees of Milwaukee-Kansas City Southern Joint Agency and United Transportation Union (T).
Jacob Seidenberg ²	Falls Church, Va.	Feb. 2, 1970	258	Reading Co. and Brotherhood of Locomotive Engineers.
David Dolnick ²	Chicago, Ill.	Dec. 4, 1969	417	Chicago & Illinois Midland Ry. Co. and United Transportation Union (T).
Gene T. Ritter ⁴	Ardmore, Okla.	June 1, 1970	597	Southern Ry. System and Railway Employees Department, AFL-CIO.
Do. ⁴	do.	do.	612	Central of Georgia Ry. Co. and Railway Employees' Department, AFL-CIO.
Do. ⁴	do.	do.	613	Birmingham Terminal Co. and International Brotherhood of Electrical Workers affiliated with Railway Employees' Department.
Do. ⁴	do.	do.	614	Atlanta Terminal Co. and International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; Brotherhood of Railway Carmen of America; and International Brotherhood of Electrical Workers affiliated with Railway Employees' Department.
Do. ⁴	do.	do.	615	Savannah and Atlanta Railway Co. and International Association of Machinists and Aerospace Workers, International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; Brotherhood of Railway Carmen of America; Sheet Metal Workers International Association; and International Brotherhood of Firemen and Oilers, Roundhouse and Railway Shop Laborers affiliated with Railway Employees' Department.
Francis B. Murphy	Atlanta, Ga.	do.	714	Union Pacific Railroad Co.—Northwestern District-Oregon Division and United Transportation Union.
David Dolnick	Chicago, Ill.	July 23, 1969	757	Baltimore & Ohio RR. Co. and American Train Dispatchers Association.
H. Raymond Cluster	Baltimore, Md.	Aug. 25, 1969	758	Chesapeake & Ohio Ry. Co., Baltimore & Ohio RR. Co., and Brotherhood of Locomotive Engineers.
Harold Weston	New York, N.Y.	Dec. 1, 1969	759	Long Island Rail Road Co. and Brotherhood of Locomotive Engineers.
Martin I. Rose	do.	Jan. 12, 1970	760	Norfolk & Western Ry. Co. and T-C Division Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees.
Byron R. Abernethy	Lubbock, Tex.	May 12, 1970	761	Disputes Committee—Eastern, Western, & Southeastern Carriers' Conference Committees and Brotherhood of Locomotive Engineers and United Transportation Union (E-C).
John H. Dorsey	Washington, D.C.	May 11, 1970	762	Disputes Committee—Eastern, Western, & Southeastern Carriers' Conference Committees and Brotherhood of Locomotive Engineers and United Transportation Union (F-T-C-S).

¹ Vice, Thomas C. Begley—Deceased.
² Vice, Thomas C. Begley—Deceased.

³ Vice, Hubert Wyckoff, resigned.
⁴ Vice, George S. Ives, resigned.

4. Arbitrators appointed pursuant to Union Shop Agreements, fiscal year 1970

Name	Residence	Date of appointment	Carrier	Organization	Individuals involved
Paul N. Guthrie-----	Chapel Hill, N.C.-----	Oct. 1, 1969	National Airlines-----	International Association of Machinists & Aerospace Workers.	Peter J. Woods.
James C. Vadakin-----	Coral Gables, Fla.-----	Feb. 12, 1970	-----do.-----	-----do.-----	R. A. Conni.
John H. Dorsey-----	Washington, D.C.-----	Mar. 3, 1970	Seaboard Coastline Railroad Co-----	Brotherhood of Maintenance of Way Employees.	Bridge Tenders G. L. Pike & J. L. McDonald
Rev. Francis Quinn----	Philadelphia, Pa.-----	Apr. 9, 1970	Penn Central Transportation Co-----	Dining Car Employees Union, Local No. 370.	Walter Blunt, Jr.
Louis M. Gill-----	Merion, Pa.-----	May 13, 1970	-----do.-----	International Brotherhood of Electrical Workers.	D. R. Varner.

5. Referees appointed—System Board of Adjustment (Airlines), fiscal year 1970

Name	Residence	Date of appointment	Parties
James R. Jones.....	Tulsa, Okla.....	July 16, 1969	Western Airlines, Inc., and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees.
Paul F. Brissenden.....	Honolulu, Hawaii.....	July 29, 1969	Aloha Airlines, Inc., and Air Line Pilots Association, International.
Daniel House.....	New York, N.Y.....	July 30, 1969	Pan American World Airways and Air Line Dispatchers Association.
Albert Epstein.....	do.....	Aug. 20, 1969	Ozark Airlines, Inc., and Air Line Pilots Association, International.
Charles W. Ellis.....	Oklahoma City, Okla.....	Aug. 21, 1969	Do.
Francis X. Quinn, S. J.....	Philadelphia, Pa.....	do.....	Do.
Paul C. Dugan.....	Kansas City, Mo.....	do.....	Do.
John E. Gorsuch.....	Denver, Colo.....	do.....	Frontier Airlines, Inc., and International Association of Machinists & Aerospace Workers.
John F. Sembower.....	Chicago, Ill.....	do.....	Do.
Thomas T. Roberts.....	Rolling Hills, Calif.....	Aug. 28, 1969	Flying Tiger Lines, Inc., and Air Line Pilots Association, International.
Louis L. Szep.....	Oklahoma City, Okla.....	Sept. 2, 1969	Ozark Airlines, Inc., and Air Line Pilots Association, International.
John Criswell.....	Washington, D.C.....	do.....	Capitol International Airways and Air Line Pilots Association, International.
David H. Brown.....	Sherman, Texas.....	do.....	Do.
John Criswell.....	Washington, D.C.....	do.....	Ozark Airlines, Inc., and Air Line Pilots Association, International.
Charles W. Ellis.....	Oklahoma City, Okla.....	Sept. 3, 1969	Capitol International Airways and Air Line Pilots Association, International.
Howard G. Gamser.....	Washington, D.C.....	Sept. 16, 1969	Alaska Airlines and Air Line Pilots Association, International.
Charles Donahue.....	do.....	Sept. 17, 1969	Pan American World Airways and Transport Workers Union of America.
Francis X. Quinn, S. J.....	Philadelphia, Pa.....	Sept. 26, 1969	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
William H. Coburn.....	Washington, D.C.....	do.....	Do.
David H. Stowe.....	do.....	do.....	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
John Day Larkin.....	Chicago, Ill.....	Sept. 29, 1969	Do.
Nicholas H. Zumas.....	Washington, D.C.....	do.....	Do.
Charles W. Ellis.....	Oklahoma City, Okla.....	Sept. 30, 1969	Do.
Howard G. Gamser.....	Washington, D.C.....	Oct. 22, 1969	Do.
William H. Coburn.....	do.....	do.....	Do.
Nelson M. Bortz.....	Bethesda, Md.....	Oct. 23, 1969	Do.
John Criswell.....	Washington, D.C.....	do.....	Do.
Frank J. Dugan.....	do.....	Oct. 24, 1969	Do.
Preston J. Moore.....	Oklahoma City, Okla.....	do.....	Do.
Alexander M. Freund.....	Philadelphia, Pa.....	Nov. 3, 1969	Do.
Lloyd H. Bailor.....	Los Angeles, Calif.....	Nov. 17, 1969	Pan American World Airways and International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America.
Arnold Zack.....	Boston, Mass.....	Nov. 19, 1969	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
Howard G. Gamser.....	Washington, D.C.....	Nov. 20, 1969	Ozark Airlines, Inc., and Air Line Pilots Association, International.
William H. Coburn.....	do.....	Dec. 3, 1969	National Airlines, Inc., and International Association of Machinists & Aerospace Workers.
Bernard Cushman.....	do.....	Jan. 7, 1970	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
Francis J. Robertson.....	do.....	do.....	Ozark Airlines, Inc., and Air Line Pilots Association, International.
John Criswell.....	do.....	Jan. 8, 1970	Caribbean-Atlantic Airlines, Inc., and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees.

5. Referees appointed—System Board of Adjustment (Airlines), fiscal year 1970—Continued

Name	Residence	Date of appointment	Parties
John J. McGovern	do	do	Ozark Airlines, Inc., and Air Line Pilots Association, International.
Charles W. Ellis	Oklahoma City, Okla.	do	Do.
Albert Epstein	New York, N.Y.	do	Avianca Airlines, Inc., and International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America.
Dan Rambo	Norman, Okla.	Jan. 9, 1970	Ozark Airlines, Inc., and Air Line Pilots Association, International.
Morris L. Myers	San Francisco, Calif.	Jan. 13, 1970	Aeronaves de Mexico and International Association of Machinists & Aerospace Workers.
Paul C. Dugan	Kansas City, Mo.	Jan. 14, 1970	Ozark Airlines, Inc., and Air Line Pilots Association, International.
David S. McLaughlin	Manasquan, N. J.	Jan. 27, 1970	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
Francis J. Robertson	Washington, D.C.	Feb. 10, 1970	Capitol International Airways and Air Line Pilots Association, International.
Howard G. Gamser	do	do	Do.
Cornelius Justin, F.S.C.	Bronx, N.Y.	do	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
William H. Coburn	Washington, D.C.	do	Capitol International Airways and Air Line Pilots Association, International.
Bernard Cushman	do	do	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
Howard G. Gamser	do	do	North Central Airlines, Inc., and Air Line Employees Association.
Nicholas H. Zumas	do	Feb. 12, 1970	Capitol International Airways, Inc., and Air Line Pilots Association, International.
Norris C. Bakke	Mayville, N. D.	Mar. 4, 1970	Northwest Airlines, Inc., and International Association of Machinists and Aerospace Workers.
Francis X. Quinn, S. J.	Philadelphia, Pa.	do	Do.
Francis J. Robertson	Washington, D.C.	Mar. 6, 1970	Seaboard World Airlines, Inc., and Air Line Pilots Association, International.
James C. Hill	Centerport, N.Y.	Mar. 16, 1970	Eastern Airlines, Inc., and Salaried Non-Management Request for Review Procedures of Eastern Airlines.
Howard G. Gamser	Washington, D.C.	do	Do.
Preston J. Moore	Oklahoma City, Okla.	Mar. 17, 1970	Eastern Airlines, Inc., and Air Line Dispatchers Association.
Charles W. Ellis	do	Mar. 19, 1970	Capitol International Airways, Inc., and Air Line Pilots Association, International.
Howard G. Gamser	Washington, D.C.	Apr. 8, 1970	Eastern Air Lines, Inc., and Air Line Dispatchers Association.
Norris C. Bakke	Mayville, N.D.	Apr. 9, 1970	Northwest Airlines, Inc., and International Association of Machinists and Aerospace Workers.
Louis L. Szep	Oklahoma City, Okla.	do	Air France and International Association of Machinists and Aerospace Workers.
Bernard Cushman	Washington, D.C.	Apr. 13, 1970	Northwest Airlines, Inc., and International Association of Machinists and Aerospace Workers.
J. Thomas Rimer, Jr.	New York, N.Y.	do	Do.
Louis L. Szep	Oklahoma City, Okla.	Apr. 14, 1970	Capitol International Airways, Inc., and International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America.
Francis J. Robertson	Washington, D.C.	Apr. 15, 1970	Air France and International Association of Machinists and Aerospace Workers.
Albert Epstein	New York, N.Y.	May 1, 1970	British Overseas Airways Corp. and International Association of Machinists and Aerospace Workers.
Arthur Stark	do	do	Do.
David S. McLaughlin	Manasquan, N. J.	do	Do.
Bernard Cushman	Washington, D.C.	May 6, 1970	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
Louis L. Szep	Oklahoma City, Okla.	do	Do.

Howard G. Gamser.....	Washington, D.C.....	do.....	Continental Airlines, Inc., and International Association of Machinists & Aerospace Workers.
John F. Sembower.....	Chicago, Ill.....	May 7, 1970	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
Alexander Freund.....	Philadelphia, Pa.....	May 12, 1970	Do.
James C. Hill.....	Centerport, N.Y.....	May 13, 1970	Seaboard World Airlines, Inc., and International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America.
Jay Kramer.....	Great Neck, N.Y.....	May 26, 1970	Northwest Airlines, Inc., and International Association of Machinists and Aerospace Workers.
Francis X. Quinn, S. J.....	Philadelphia, Pa.....	May 28, 1970	Do.
J. Thomas Rimer, Jr.....	New York, N.Y.....	do.....	Do.
Howard G. Gamser.....	Washington, D.C.....	June 4, 1970	Ozark Air Lines, Inc., and Air Line Pilots Association, International.
L. W. Horning.....	Sarasota, Florida.....	do.....	Airlift International, Inc., and Aircraft Mechanics Fraternal Association.
Matthew A. Kelly.....	Larchmont, N.Y.....	June 5, 1970	Ozark Air Lines, Inc., and Air Line Pilots Association, International.
J. Thomas Rimer, Jr.....	New York, N.Y.....	June 8, 1970	Airlift International, Inc., and Aircraft Mechanics Fraternal Association.
James C. Vadakin.....	Coral Gables, Fla.....	June 9, 1970	Do.
Howard G. Gamser.....	Washington, D.C.....	June 24, 1970	Pan American World Airways and International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America.
Francis X. Quinn, S. J.....	Philadelphia, Pa.....	do.....	Northwest Airlines, Inc., and International Association of Machinists & Aerospace Workers.
Albert Epstein.....	New York, N.Y.....	do.....	Do.
Jack Short.....	Oklahoma City, Okla.....	June 25, 1970	Do.
Arnold Zack.....	Boston, Mass.....	do.....	Do.
Irving Bergman.....	New York, N.Y.....	do.....	Do.
Laurence E. Seibel.....	Washington, D.C.....	Mar. 2, 1970	Penn Central Transportation Co.—Special Arbitration Committee—Pass privileges for Penn Central employees on the Long Island R.R.
Frank J. Dugan.....	do.....	Mar. 27, 1970	Penn Central Transportation Co. and American Railway Supervisors Association.

APPENDIX C

TABLE 1.—Number of cases received and disposed of, fiscal years 1935-70

Status of cases	36-Year period 1935-70	Fiscal year 1970	Fiscal year 1969	Fiscal year 1968	Fiscal year 1967	Fiscal year 1966	Fiscal year 1965	5-year period, 1965-69 (average)	5-year period, 1960-64 (average)	5-year period, 1955-59 (average)	5-year period, 1950-54 (average)	5-year period, 1945-49 (average)
All types of cases												
Cases pending and unsettled at beginning of period.	96	471	571	629	545	336	281	472	248	202	136	172
New cases docketed.....	13,256	316	315	315	420	560	359	394	302	413	415	463
Total cases on hand and received.....	13,352	787	886	944	965	896	640	866	550	615	551	635
Cases disposed of.....	12,863	298	415	373	336	351	304	356	289	401	403	496
Cases pending and unsettled at end of period.....	489	489	471	571	629	545	336	510	261	214	148	139
Representation cases												
Cases pending and unsettled at beginning of period.	24	10	17	23	16	42	13	22	17	22	34	50
New cases docketed.....	4,132	70	63	67	99	84	95	82	62	100	136	176
Total cases on hand and received.....	4,156	80	80	90	115	126	108	104	79	122	170	226
Cases disposed of.....	4,145	69	70	73	92	110	66	82	62	102	137	186
Cases pending and unsettled at end of period.....	11	11	10	17	23	16	42	22	17	20	33	40
Mediation cases												
Cases pending and unsettled at beginning of period.	72	458	550	603	526	290	265	447	228	173	102	122
New cases docketed.....	9,006	245	251	245	319	472	261	309	235	304	276	286
Total cases on hand and received.....	9,078	703	801	848	845	762	526	756	463	477	378	408
Cases disposed of.....	8,601	226*	343	298	242	236	236	271	221	290	264	309
Cases pending and unsettled at end of period.....	477	477	458	550	603	526	290	485	241	187	114	99
Interpretation cases												
Cases pending and unsettled at beginning of period.	None	3	4	3	3	4	3	3	3	6	0	0
New cases docketed.....	120	1	1	3	2	4	3	3	5	9	3	1
Total cases on hand and received.....	120	4	5	6	5	8	6	6	8	15	3	1
Cases disposed of.....	119	3	2	2	2	5	2	3	5	8	2	1
Cases pending and unsettled at end of period.....	1	1	3	4	3	3	4	3	3	7	1	0

* Includes four cases omitted from 34th Annual Report.

TABLE 2.—Disposition of mediation cases by method, class of carrier, issue involved, fiscal year 1970

	Disposition by type of carrier						Railroads, total	Air-lines, total	Disposition by major issue involved					
	Railroads								New agreement		Rates of pay		Rules	
	Total, all cases	Class I	Class II	Switching and terminal	Electric railroads	Miscellaneous carriers			Rail-road	Air-line	Rail-road	Air-line	Rail-road	Air-line
Total.....	222	92	26	34	2	8	162	60	0	10	15	3	147	47
Mediation agreement.....	112	42	16	17	1	3	79	33	0	7	8	2	71	24
Arbitration agreement.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Withdrawn after mediation.....	3	3	0	0	0	0	3	0	0	0	0	0	3	0
Withdrawn before mediation.....	11	3	3	5	0	0	11	0	0	0	0	0	11	0
Refusal to arbitrate by:														
Carrier.....	3	1	1	0	0	0	2	1	0	0	0	0	2	1
Employees.....	35	22	1	5	0	2	30	5	0	2	2	0	28	3
Both.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dismissal.....	58	21	5	7	1	3	37	21	0	1	5	1	32	19

TABLE 3.—Representation cases disposition by craft or class, employees involved, and participating, fiscal year 1970

	Railroads				Airlines			
	Number cases	Number crafts and classes	Em- ployees in- volved	Number partici- pating	Number cases	Number crafts and classes	Em- ployees in- volved	Number partici- pating
Total.....	29	42	14,613	11,665	40	46	8,992	5,479
DISPOSITION								
Certification based on election.....	17	22	13,117	11,627	20	24	5,198	3,692
Certification based on authorization.....	2	4	12	12	3	4	114	104
Withdrawn before investigation.....	2	5	74	0	4	5	89	0
Withdrawn during investigation.....	2	5	469	0	4	4	167	0
Withdrawn after investigation.....	0	0	0	0	2	2	1,732	0
Dismissal.....	6	6	941	26	7	7	1,692	1,683
Total all cases—69.....			23,605	17,144				

TABLE 4.—Number of cases disposed of by major groups of employees, fiscal year 1970

Major groups of employees	Number of—			
	All types of cases	Representa- tion cases	Mediation cases	Interpreta- tion cases
Grand total, all groups of employees.....	294	69	222	3
Railroad total.....	193	29	162	2
Combined groups, railroad.....	20	5	14	1
Train, Engine and Yard Service.....	131	9	122	0
Mechanical foremen.....	0	0	0	0
Maintenance of equipment.....	1	0	1	0
Clerical, office, station and storehouse.....	6	2	3	1
Yardmasters.....	2	0	2	0
Maintenance of way and signal.....	5	0	5	0
Subordinate officials in maintenance of way.....	1	1	0	0
Agents, telegraphers and towermen.....	3	1	2	0
Train dispatchers.....	0	0	0	0
Technical engineers, architects, draftsmen, etc.....	1	1	0	0
Dining car employees, train and pullman porters.....	4	1	3	0
Patrolmen and special officers.....	2	1	1	0
Marine servicemen.....	3	0	3	0
Miscellaneous railroad.....	14	8	6	0
Airline total.....	101	40	60	1
Combined groups, airline.....	14	6	8	0
Mechanics.....	12	6	6	0
Radio and teletype operators.....	5	2	3	0
Clerical, office, stores, fleet and passenger service.....	19	11	8	0
Stewards, stewardesses, and flight pursers.....	10	1	9	0
Pilots.....	22	7	14	1
Dispatchers.....	9	2	7	0
Meteorologists.....	0	0	0	0
Flight engineers.....	2	0	2	0
Flight navigators.....	1	1	0	0
Flight kitchen and commissary employees.....	1	0	1	0
Miscellaneous airline.....	6	4	2	0

TABLE 5.—*Number of crafts or classes and number of employees involved in representation cases, by major groups of employees, fiscal year 1970*

Major groups of employees	Number of cases	Number of crafts or classes	Employees involved	
			Number	Percent
Grand total, all groups of employees.....	69	88	23,605	100
Railroad, total.....	29	42	14,613	62
Dining car employees, train and pullman porters.....	1	1	4	(1)
Train service.....	2	2	10	(1)
Engine service.....	8	9	255	1
Yard service.....	0	0	0	0
Mechanical foremen.....	0	0	0	0
Maintenance of equipment.....	0	0	0	0
Clerical, office, station, and storehouse.....	2	2	696	3
Yardmasters.....	0	0	0	0
Maintenance of way and signal.....	0	0	0	0
Subordinate officials, maintenance of way.....	1	1	455	2
Agents, telegraphers, and towermen.....	2	2	111	(1)
Train dispatchers.....	0	0	0	0
Technical engineers, architects, draftsmen, etc.....	1	1	108	(1)
Patrolmen and special officers.....	1	1	734	3
Marine service.....	0	0	0	0
Combined groups, railroad.....	5	17	369	2
Miscellaneous railroad.....	6	6	11,871	50
Airline, total.....	40	46	8,992	38
Mechanics.....	6	6	848	3
Flight navigators.....	1	1	38	(1)
Clerical, office, stores, fleet and passenger service.....	10	10	6,939	29
Stock and store employees.....	1	1	21	(1)
Stewards, stewardesses, and pursers.....	1	1	87	(1)
Pilots.....	7	7	364	2
Flight engineers.....	0	0	0	0
Combined groups, airline.....	6	12	519	2
Airline dispatchers.....	2	2	62	(1)
Commissary employees.....	0	0	0	0
Radio and Teletype Operators.....	2	2	12	(1)
Miscellaneous airline.....	4	4	102	(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 1970

	Certifications issued to—								
	National organizations			Local unions			Total		
	Craft or class	Employees involved		Craft or class	Employees involved		Craft or class	Employees involved	
		Num- ber	Per- cent		Num- ber	Per- cent		Num- ber	Per- cent
RAILROADS									
Representation acquired:									
Elections.....	12	882	4	0	0	0	12	882	4
Proved authorizations.....	3	3	(1)	0	0	0	3	3	(1)
Representation changed:									
Elections.....	4	228	1	0	0	0	4	228	1
Proved authorizations.....	1	9	(1)	0	0	0	1	9	(1)
Representation unchanged:									
Elections.....	5	11,273	61	1	734	4	6	12,007	65
Proved authorizations.....	0	0	0	0	0	0	0	0	0
Total Railroads.....	25	12,395	66	1	734	4	26	13,129	70
AIRLINES									
Representation acquired:									
Elections.....	15	574	3	0	0	0	15	574	3
Proved authorizations.....	4	114	(1)	0	0	0	4	114	(1)
Representation changed:									
Elections.....	6	461	2	0	0	0	6	461	2
Proved authorizations.....	0	0	0	0	0	0	0	0	0
Representation unchanged:									
Elections.....	3	4,163	23	0	0	0	3	4,163	23
Proved authorizations.....	0	0	0	0	0	0	0	0	0
Total Airlines.....	28	5,312	28	0	0	0	28	5,312	28
Total, combined rail- road and airlines.....	53	17,507	94	1	734	4	54	18,441	98

¹ Less than 1 percent.

NOTE: These figures do not include cases that were either withdrawn or dismissed.

TABLE 7.—*Strikes in the railroad and airline industries July 1, 1969 to June 30, 1970*¹

Case Number	Carrier	Organization	Craft or class	Number of employees	Date of work stoppage	Date work resumed	Issues	Disposition
A-8572	Piedmont Airlines, Inc....	Air Line Pilots Association.	Pilots.....	400	July 21, 1969	Aug. 18, 1969	Crew consist on 737, second pilot v. third pilot.	Court order for pilots to fly with three-man crew.
A-8544	Western Airlines, Inc....	International Brotherhood of Teamsters—Airline Division.	Mechanics and related personnel.	1,800	July 29, 1969	Aug. 14, 1969	Wages and rules.....	Mediation agreement dated August 1969.
A-8573	Pan American World Airways, Inc.	International Brotherhood of Teamsters—Airline Division.	Clerical and related employees.	7,500	Aug. 8, 1969	Aug. 11, 1969	Rates of pay, rules, and working conditions.	Mediation agreement dated August 12, 1969.
A-8557	Union Railroad Co.....	United Steelworkers of America.	Clerical employees... Shoppers..... Foremen..... Pilots.....	260 487 45 30	Sept. 27, 1969	Oct. 8, 1969	Wages and rules.....	Mediation agreement dated October 8, 1969, after case was closed.
A-8548	Los Angeles Airways, Inc.	Air Line Pilots Association	Pilots.....	30	Oct. 20, 1969	Apr. 24, 1970	Rates of pay, rules, and working conditions.	Agreement between the parties.
A-8552	Aliquippa and Southern Railroad.	United Transportation Union.	Trainmen, conductors, enginemen.	255	Nov. 7, 1969	Nov. 11, 1969	Wages and rules.....	Mediation agreement dated November 14, 1969.
A-8569	Monongahela Connecting Railroad.	United Transportation Union.	Conductors; trainmen; clerical, station and storehouse; yardmasters, and dispatchers.	350	Nov. 7, 1969	Nov. 11, 1969	do.....	Mediation agreement dated November 13, 1969.
A-8610	National Airlines, Inc....	Air Line Employees Association.	Clerical, office, and station employees.	3,600	Jan. 29, 1970	May 18, 1970	Rules.....	Mediation agreement dated June 9, 1970.
A-8655	Ozark Airlines, Inc.....	Aircraft Mechanics Fraternal Association.	Mechanics and related personnel.	446	Apr. 19, 1970	Apr. 24, 1970	Working conditions, rules, wages and benefits.	Mediation agreement dated April 28, 1970.
A-8748	World Airways, Inc.....	International Brotherhood of Teamsters.	Pilots..... Flight Engineers..... Navigators.....	254	May 15, 1970	July 4, 1970	Wages, hours, and working conditions.	Agreement between the parties.
A-8773	do.....	International Brotherhood of Teamsters.	Flight Attendants.....	200	do.....	do.....	Wages, hours, and working conditions.	Agreement between the parties.

¹ Not included are those strikes of less than 24 hours' duration.

TABLE 8.—Number of labor agreements on file with the National Mediation Board according to type of labor organization and class of carrier, fiscal years 1935-70

Fiscal year	All carriers	Class I	Class II	Switching and terminal	Electric	Express and pullman	Miscellaneous railroad carriers	Air carriers
Total:								
1970.....	5,704	3,333	803	814	176	18	108	452
1969.....	5,404	3,200	785	791	166	16	92	354
1968.....	5,285	3,145	780	771	164	14	87	324
1967.....	5,275	3,143	778	771	164	14	87	318
1966.....	5,235	3,134	776	770	164	14	87	290
1965.....	5,230	3,132	775	770	164	14	87	288
1964.....	5,228	3,132	775	769	164	14	87	287
1963.....	5,226	3,132	774	769	164	14	87	286
1962.....	5,221	3,131	772	767	164	14	87	286
1961.....	5,220	3,131	772	767	164	14	87	285
1960.....	5,218	3,131	772	766	164	14	87	284
1959.....	5,215	3,130	772	766	164	14	87	282
1958.....	5,205	3,126	770	764	164	14	87	280
1957.....	5,196	3,117	770	764	164	14	87	280
1956.....	5,190	3,117	769	763	164	14	86	277
1955.....	5,180	3,116	763	763	163	14	86	275
1950.....	5,092	3,094	752	749	159	13	84	241
1945.....	4,665	2,913	735	705	150	8	56	98
1940.....	4,193	2,708	684	603	108	8	38	44
1935.....	3,021	2,335	347	334	-----	5	-----	-----
National organizations:								
1970.....	5,607	3,275	799	796	172	18	107	440
1969.....	5,279	3,142	781	773	162	16	91	342
1968.....	5,160	3,087	776	753	160	14	86	312
1967.....	5,150	3,085	774	753	160	14	86	306
1966.....	5,139	3,077	772	752	160	14	86	278
1965.....	5,135	3,076	771	752	160	14	86	276
1964.....	5,133	3,076	771	751	160	14	86	275
1963.....	5,131	3,076	770	751	160	14	86	274
1962.....	5,127	3,076	768	749	160	14	86	274
1961.....	5,126	3,076	768	749	160	14	86	273
1960.....	5,124	3,076	768	748	160	14	86	272
1959.....	5,121	3,075	768	748	160	14	86	270
1958.....	5,111	3,071	766	746	160	14	86	268
1957.....	5,102	3,062	766	746	160	14	86	268
1956.....	5,096	3,062	765	745	160	14	85	265
1955.....	5,086	3,061	759	745	159	14	85	263
1950.....	4,999	3,040	748	731	155	13	83	229
1945.....	4,585	2,865	732	687	146	8	56	91
1940.....	4,128	2,668	681	588	106	8	38	39
1935.....	2,940	2,254	347	334	-----	6	-----	-----
Other organizations:								
1970.....	97	58	4	18	4	-----	1	12
1969.....	97	58	4	18	4	-----	1	12
1968.....	97	58	4	18	4	-----	1	12
1967.....	97	58	4	18	4	-----	1	12
1966.....	96	57	4	18	4	-----	1	12
1965.....	95	56	4	18	4	-----	1	12
1964.....	95	56	4	18	4	-----	1	12
1963.....	95	56	4	18	4	-----	1	12
1962.....	94	55	4	18	4	-----	1	12
1961.....	94	55	4	18	4	-----	1	12
1960.....	94	55	4	18	4	-----	1	12
1959.....	94	55	4	18	4	-----	1	12
1958.....	94	55	4	18	4	-----	1	12
1957.....	94	55	4	18	4	-----	1	12
1956.....	94	55	4	18	4	-----	1	12
1955.....	94	55	4	18	4	-----	1	12
1950.....	93	54	4	18	4	-----	1	12
1945.....	80	48	3	18	4	-----	-----	7
1940.....	65	40	3	15	2	-----	-----	5
1935.....	81	81	-----	-----	-----	-----	-----	-----

TABLE 9.—Cases docketed and disposed of by the National Railroad Adjustment Board, fiscal years 1935-70 inclusive

ALL DIVISIONS						
Cases	36-year period, 1935-70	1970	1969	1968	1967	1966
Open and on hand at beginning of period.....		4,277	5,024	5,346	6,090	6,245
New cases docketed.....	70,022	921	978	1,395	1,689	1,554
Total number of cases on hand and docketed.....	70,022	5,198	6,002	6,741	7,778	7,799
Cases disposed of.....	66,330	1,506	1,724	1,717	2,433	1,709
Decided without referee.....	12,626	31	34	150	143	166
Decided with referee.....	30,241	806	1,092	1,064	1,295	1,140
Withdrawn.....	23,463	669	598	503	995	403
Open cases on hand close of period.....	3,692	3,692	4,278	5,024	5,346	6,090
FIRST DIVISION						
Open and on hand at beginning of period.....		2,940	3,299	3,509	4,049	4,056
New cases docketed.....	42,577	192	164	358	446	490
Total number of cases on hand and docketed.....	42,577	3,132	3,463	3,867	4,495	4,546
Cases disposed of.....	39,927	482	523	568	956	497
Decided without referee.....	10,693	27	32	110	135	158
Decided with referee.....	10,861	12	66	140	107	79
Withdrawn.....	18,373	443	425	318	744	260
Open cases on hand close of period.....	2,650	2,650	2,940	3,299	3,509	4,049
SECOND DIVISION						
Open and on hand at beginning of period.....		186	304	380	337	286
New cases docketed.....	6,085	179	138	211	338	238
Total number of cases on hand and docketed.....	6,085	365	442	591	675	524
Cases disposed of.....	5,929	209	256	287	295	187
Decided without referee.....	728	1	0	36	1	0
Decided with referee.....	4,265	195	253	236	264	156
Withdrawn.....	936	13	3	15	30	31
Open cases on hand close of period.....	156	156	186	304	380	337
THIRD DIVISION						
Open and on hand at beginning of period.....		1,087	1,324	1,361	1,666	1,872
New cases docketed.....	18,778	470	578	715	776	719
Total number of cases on hand and docketed.....	18,778	1,557	1,902	2,076	2,442	2,591
Cases disposed of.....	17,949	728	815	751	1,081	925
Decided without referee.....	904	3	1	1	5	4
Decided with referee.....	13,415	529	664	596	867	837
Withdrawn.....	3,630	196	150	154	209	84
Open cases on hand close of period.....	829	829	1,087	1,324	1,361	1,666

TABLE 9.—Cases docketed and disposed of by the National Railroad Adjustment Board,
fiscal years 1935-70 inclusive—Continued

FOURTH DIVISION						
Cases	36-year period 1935-70	1970	1969	1968	1967	1966
Open and on hand at beginning of period.....		64	97	97	39	32
New cases docketed.....	2,582	80	98	111	129	107
Total number of cases on hand and docketed.....	2,582	144	195	208	168	139
Cases disposed of.....	2,525	87	131	111	71	100
Decided without referee.....	311	0	1	3	2	4
Decided with referee.....	1,690	70	109	92	57	68
Withdrawn.....	524	17	21	16	12	28
Open cases on hand close of period.....	57	57	64	97	97	39

TABLE 10.—Employee representation on selected rail carriers as of June 30, 1970

Railroad	Engineers	Firemen and hostlers	Con- ductors	Brakemen, flagmen, and baggage- men	Yard- foremen, helpers, and switch- tenders	Yard- masters	Clerical, office, station, and store- house	Main- tenance of way employees	Telegr- aphers	Dispatchers
Akron, Canton & Youngstown Ry.	UTU	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Ann Arbor RR.	UTU	UTU	UTU	UTU	UTU	ARSA	BRAC	BMW	BRAC	ATDA
Atchison, Topeka & Santa Fe Ry.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Gulf, Colorado & Santa Fe Ry.	(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)
Panhandle & Santa Fe Ry.	(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)	(#)
Atlanta & West Point RR.	BLE	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA
Baltimore & Ohio RR.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Bangor & Aroostook RR.	UTU	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA
Bessemer & Lake Erie RR.	UTU	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	X
Boston & Maine Corp.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Burlington Northern.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Central of Georgia Ry.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Central RR. of New Jersey.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Central Vermont Ry., Inc.	BLE	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Chesapeake & Ohio Ry.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Chicago & Eastern Illinois RR.	BLE	UTU	UTU	UTU	UTU	ARSA	BRAC	BMW	BRAC	ATDA
Chicago & Illinois Midland Ry.	UTU	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA
Chicago & North Western Ry.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Chicago, Burlington & Quincy RR.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Chicago, Milwaukee, St. Paul & Pacific RR.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Chicago, Rock Island & Pacific Ry.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Clinchfield RR.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Colorado & Southern Ry.	BLE	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Delaware & Hudson Ry. Co.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Denver & Rio Grande Western RR.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Detroit & Toledo Shore Line RR.	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Detroit, Toledo & Ironton RR.	BLE	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA
Duluth, Missabe & Iron Range Ry.	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Duluth, Winnipeg & Pacific Ry.	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	BRAC
Elgin, Joliet & Eastern Ry.	BLE	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	LU
Erie-Lackawanna Ry. Co.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Florida East Coast Ry.	BLE	UTU	UTU	UTU	UTU	LU	BRAC	BMW	BRAC	LU
Fort Worth & Denver Ry.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Georgia RR. Lessee Organization.	BLE	BLE	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Grand Trunk Western RR.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Great Northern Ry.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Green Bay & Western RR.	UTU	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA
Gulf, Mobile & Ohio RR.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Illinois Central RR.	BLE	UTU	UTU	UTU	UTU	SA	BRAC	BMW	BRAC	ITDA

See footnotes and symbol list at end of table.

TABLE 10.—Employee representation on selected rail carriers as of June 30, 1970—Continued

Railroad	Engineers	Firemen and hostlers	Con- ductors	Brakemen, flagmen, and baggage- men	Yard- foremen, helpers, and switch- tenders	Yard- masters	Clerical, office, station, and store- house	Main- tenance of way employees	Tele- graphers	Dispatchers
Illinois Terminal RR.....	UTU	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Kansas City Southern Ry.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Kansas, Oklahoma & Gulf Ry.....	BLE	UTU	UTU	UTU	UTU	(*)	BRAC	BMW	BRAC	(*)
Lake Superior & Ishpeming RR.....	UTU	UTU	UTU	UTU	UTU	(X)	BRAC	BMW	X	X
Lehigh Valley RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Long Island RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	IBT	BRAC	ATDA
Louisville & Nashville RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Maine Central RR.....	UTU	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Missouri-Illinois RR.....	UTU	UTU	UTU	UTU	UTU	(*)	BRAC	BMW	BRAC	(*)
Missouri-Kansas-Texas RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Missouri Pacific RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Monon RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Monongahela Ry.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Norfolk & Western Ry.....	BLE	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA
Norfolk Southern Ry.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Northern Pacific Ry. ¹	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Northwestern Pacific RR.....	BLE	UTU	UTU	UTU	UTU	(*)	BRAC	BMW	BRAC	ATDA
Penn Central Transportation Co.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Pennsylvania Reading Seashore Lines.....	BLE	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Pittsburgh & Lake Erie RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Reading Co.....	BLE	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Richmond, Fredericksburg & Potomac RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	X
St. Louis-San Francisco Ry.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
St. Louis Southwestern Ry.....	BLE	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Savannah and Atlanta Ry.....	BLE	UTU	UTU	UTU	UTU	(*)	BRAC	BMW	(*)	ATDA
Seaboard Coast Line RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Soo Line RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Southern Pacific Transportation Co. (Pacific Lines).....	BLE	UTU	UTU	UTU	UTU	WRSA	BRAC	BMW	BRAC	ATDA
Southern Pacific Transportation Co. (Texas & Louisiana Lines).....	BLE	UTU	UTU	UTU	UTU	WRSA	BRAC	BMW	BRAC	ATDA
Southern Ry.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Georgia, Southern Florida Ry.....	UTU	(#)	(#)	UTU	UTU	(#)	(#)	(#)	(#)	(#)
Cincinnati, New Orleans & Texas Pacific Ry.....	(#)	(#)	(#)	UTU	UTU	(#)	(#)	(#)	(#)	(#)
New Orleans & Northeastern RR. ¹	(#)	(#)	(#)	UTU	UTU	(#)	(#)	(#)	(#)	(#)
Alabama Great Southern Ry.....	(#)	(#)	(#)	UTU	UTU	(#)	(#)	(#)	(#)	(#)
Spokane, Portland & Seattle Ry. ¹	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Texas & Pacific Ry.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Toledo, Peoria & Western RR.....	UTU	UTU	UTU	UTU	UTU	(*)	BRAC	BMW	BRAC	(*)
Union Pacific RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	(*)	LU
Western Maryland Ry.....	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Western Pacific RR.....	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA

Railroad	Machinists	Boiler- makers and black- smiths	Sheet metal workers	Electrical workers	Carmen and coach cleaners	Power- house employees and shop laborers	Signalmen	Mechanical foremen and supervisors	Dining car stewards	Dining car cooks and waiters
Akron, Canton & Youngstown Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Ann Arbor RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Atchinson, Topeka & Santa Fe Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	UTU	(*)
Gulf, Colorado & Santa Fe Ry.....	(#)	(#)	(#)	(#)	(#)	(#)	(#)	-----	(#)	(#)
Panhandle & Santa Fe Ry.....	(#)	(#)	(#)	(#)	(#)	(#)	(#)	-----	(#)	(#)
Atlanta & West Point RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Baltimore and Ohio RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	RED	UTU	UTSE
Bangor & Aroostook RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	HRE
Bessemer & Lake Erie RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Boston & Maine Corp.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	SA	UTSE
Burlington Northern.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Central of Georgia Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	UTSE
Central RR. of New Jersey.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	RED	(*)	(*)
Central Vermont Ry., Inc.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Chesapeake & Ohio Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Chicago & Eastern RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Chicago & Illinois Midland Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Chicago & North Western Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Chicago, Burlington & Quincy RR. ¹	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Chicago, Milwaukee, St. Paul and Pacific RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	MRMFA	UTU	HRE
Chicago, Rock Island & Pacific Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Clinchfield RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Colorado & Southern Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	BSCP
Delaware & Hudson Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	UTU	HRE
Denver & Rio Grande Western RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	UTU	SA
Detroit & Toledo Shore Line RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Detroit, Toledo & Ironton RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Duluth, Missabe & Iron Range Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	MDFA	(*)	(*)
Duluth, Winnipeg & Pacific Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Elgin, Joliet & Eastern Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Erie-Lackawanna Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	HRE
Florida East Coast Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	X
Fort Worth & Denver Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	SA	UTU	HRE
Georgia RR. Lessee Organization.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Grand Trunk Western RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Great Northern Ry. ¹	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Green Bay & Western RR.....	IAM&AW	BB	SMWIA	X	BRCA	IBFO	BRS	-----	(*)	(*)
Gulf, Mobile & Ohio RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	LU	HRE
Illinois Central RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	UTU	HRE
Illinois Terminal RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Kansas City Southern Ry.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Kansas, Oklahoma & Gulf Ry. ²	(*)	(*)	(*)	(*)	(*)	IBFO	(*)	-----	(*)	(*)
Lake Superior & Ishpeming RR.....	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	IBEW	(*)	(*)	(*)

See footnotes and symbol list at end of table.

TABLE 10.—Employee representation on selected rail carriers as of June 30, 1970—Continued

Railroad	Machinists	Boiler- makers and black- smiths	Sheet metal workers	Electrical workers	Carmen and coach cleaners	Power- house employees and shop laborers	Signalmen	Me- chanical foremen and supervisors	Dining car stewards	Dining car cooks and waiters
Lehigh Valley RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	UTU	HRE
Long Island RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Louisville & Nashville RR.	IAM&AW	BB/TWU	SMWIA	IBEW	BRCA	IBFO	BRS	-----	UTU	HRE
Maine Central RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Missouri-Illinois RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	(*)	ARSA	(*)	(*)
Missouri-Kansas-Texas RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Missouri Pacific RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Monon RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	HRE
Monongahela Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Norfolk & Western Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Norfolk Southern Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	IBEW	-----	(*)	(*)
Northern Pacific Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	AMS	UTU	HRE
Northwestern Pacific RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	(*)	LU	(*)	(*)
Penn Central Transportation Co.	IAM&AW	BB	SMWIA	IBEW	TWU	IBFO	BRS	ARSA	UTU	TWU
Pennsylvania Reading Seashore Lines.	IAM&AW	(*)	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Pittsburgh & Lake Erie RR.	IAM&AW	BB	SMWIA	IBEW	TWU	IBFO	UMW	ARSA	(*)	(*)
Reading Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	RED	UTU	HRE
Richmond, Fredericksburg & Potomac RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
St. Louis-San Francisco Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	UTU	HRE
St. Louis Southwestern Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	X	HRE
Savannah and Atlanta Ry.	IAM&AW	BB	SMWIA	(*)	BRCA	IBFO	(*)	(*)	(*)	(*)
Seaboard Coast Line RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Soo Line RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Southern Pacific Transportation Co. (Pacific Lines)	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Southern Pacific Transportation Co. (Texas & Louisiana Lines)	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Southern Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	UTSE
Georgia, Southern & Florida Ry.	(#)	(#)	(#)	(#)	(#)	(#)	(#)	-----	(*)	(*)
Cincinnati, New Orleans & Texas Pacific Ry.	(#)	(#)	(#)	(#)	(#)	(#)	(#)	-----	(*)	(*)
New Orleans & Northeastern RR. ¹	(#)	(#)	(#)	(#)	(#)	(#)	(#)	-----	(*)	(*)
Alabama Great Southern Ry.	(#)	(#)	(#)	(#)	(#)	(#)	(#)	-----	(*)	(*)
Spokane, Portland & Seattle Ry. ¹	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	UTU	HRE
Texas & Pacific Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	RED	UTU	HRE
Toledo, Peoria & Western RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	-----	(*)	(*)
Union Pacific RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Western Maryland Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Western Pacific RR.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE

TABLE 10.—Employee representation on selected air carriers as of June 30, 1970

Airline	Pilots	Flight engineers	Flight navigators	Flight dispatchers	Stewardesses and pursers	Radio and teletype operators	Mechanics	Clerical, office, stores, fleet and passenger service	Stock and stores
Airlift, International	ALPA		TWU				AMFA	ALEA ⁵	IBT
Air West, Inc.	ALPA			ALDA	ALPA		IAM&AW	ALEA ⁵	IAM&AW
Allegheny Airlines, Inc.	ALPA			LU	ALPA		IAM&AW		IAM&AW
American Airlines, Inc.	APA	FEIA		ALDA	TWU	TWU	TWU	TWU ⁵	TWU
Braniff International	ALPA			ADA	ALPA	CWA	IAM&AW	IBT ⁵	IBT
Continental Airlines, Inc.	ALPA			ALDA	ALPA		IAM&AW		IAM&AW
Delta Air Lines, Inc.	ALPA			ALDA					
Eastern Air Lines, Inc.	ALPA	ALPA		ALDA	TWU	CWA	IAM&AW	IAM&AW ⁵	IAM&AW
Flying Tiger Lines, Inc.	ALPA	ALPA	TWU		IBT		IAM&AW		IAM&AW
Frontier Airlines, Inc.	ALPA			ALDA	ALPA		IAM&AW	ALEA	
Los Angeles Airways, Inc.	ALPA			ALDA	ALPA		IBT	IAM&AW ⁵	IBT
Mohawk Airlines, Inc.	ALPA			ALDA	ALPA		IAM&AW		IAM&AW
National Airlines, Inc.	ALPA	FEIA		ALDA	ALPA	CWA	IAM&AW	ALEA ⁵	IAM&AW
North Central Airlines, Inc.	ALPA			ALDA	ALPA		IAM&AW	ALEA ⁵	IAM&AW
Northeast Airlines, Inc.	ALPA			ALDA	TWU	TWU	IAM&AW	TWU	(⁶)
Northwest Airlines, Inc.	ALPA	IAM&AW	TWU	ALDA	TWU	TWU	IAM&AW	BRAC ⁵	IAM&AW
Ozark Air Lines, Inc.	ALPA			ALDA	ALPA	IBT	AMFA	IAM&AW ⁵	IBT
Pan American World Airways, Inc.	ALPA	FEIA		ALDA	TWU		TWU	IBT ⁵	IBT
Piedmont Airlines, Inc.	ALPA			ALDA	ALPA				
Seaboard World Airlines, Inc.	ALPA	IBT	TWU		IUFA	TWU	TWU		TWU
Southern Airways, Inc.	ALPA			ALDA	TWU		IAM&AW		IAM&AW
Trans-International Airlines, Inc. ⁴	IBT	IBT	IBT	ALDA	IBT		IAM&AW	ALEA ⁵	IAM&AW
Trans World Airlines, Inc.	ALPA	ALPA	TWU	TWU	TWU	ALEA	IAM&AW		
United Air Lines, Inc.	ALPA		TWU	ALDA	ALPA	CWA	IAM&AW		IAM&AW
Western Airlines, Inc.	ALPA	ALPA		ALDA	ALPA	CWA	IBT	BRAC ⁵	IBT

TABLE 10.—Employee representation on selected rail carriers as of June 30, 1970—
Continued

Railroad	Licensed deck employ- ees	Licensed engine- room employ- ees	Un- licensed deck employ- ees	Un- licensed engine- room employ- ees	Cap- tains, lighters, grain boats	Hoist- ing engi- neers	Float- watch- men, bridge- men, bridge operators	Cooks, chefs, waiters
Ann Arbor RR.-----	GLLO	MEBA	SIU	SIU				SIU
Atchison, Topeka & Santa Fe Ry.-----	MMP	MEBA	IUP	IUP				
Baltimore and Ohio RR.-----	MMP	TWU	SIU	TWU	ILA	IUOE	MMP	
Central RR. of New Jersey.-----	MMP	MEBA	TWU	TWU	ILA	IUOE	TWU	
Chesapeake & Ohio Ry.:-----								
Chesapeake District.-----	MMP	MEBA	SIU	UMW				
Pere Marquette District.-----	MMP	GLLO	NMU	NMU				NMU
Chicago, Milwaukee, St. Paul & Pacific RR.-----	MMP	MEBA	IUP	IUP				IUP
Erie-Lackawanna Ry. Grand Trunk Western RR.-----	MMP GLLO	MEBA MEBA	SIU NMU	TWU NMU	TWU	TWU	UMW	NMU
Long Island RR.-----	MMP	MEBA	TWU	TWU			IBT	
Missouri-Illinois RR. Norfolk & Western Ry.-----	MMP GLLO	MEBA MEBA	MMP UMW	MEBA UMW	MEBA			
Penn Central Trans- portation Co.-----	SIU	NMU	SIU	TWU	ILA		ILA	SIU
Reading Co.-----	MMP	MEBA	NMU	NMU	NMU			NMU
Southern Pacific Transportation Co. Southern Ry.-----	MMP MMP	MEBA MEBA	IUP IUP	IUP IUP			IUP	
Western Maryland Ry.-----		MEBA	MMP				SIU	
Western Pacific RR..	MMP	MEBA	IUP	IUP				

¹ Merged into Burlington Northern, Inc. effective Mar. 3, 1970.

² Merged into Texas and Pacific Railway Co., effective Apr. 1, 1970.

³ Merged into Alabama Great Southern Railway, effective Jan. 31, 1969.

⁴ Formerly Trans Texas Airlines, Inc.

⁵ Only a portion of the craft or class.

⁶ Included in Clerical, Office, Stores, Fleet and Passenger Service Employees.

* Included in System Agreement.

* Carriers report no employees in this craft or class.

X Employees in this craft or class but not covered by agreement.

MARINE

GLLO	Great Lakes Licensed Officers' Organization.
ILA	International Longshoremen's Association.
IOE	International Union of Operating Engineers.
IUP	Inlandboatmen's Union of the Pacific.
MMP	International Organization of Masters, Mates, and Pilots.
MEBA	National Marine Engineers' Beneficial Association.
NMU	National Maritime Union of America.
SIU	Seafarers' International Union of North America.
TWU	Transport Workers Union of America.
UMW	United Mine Workers of America.

RAILROADS

ARSA	American Railway Supervisors Association.
ATDA	American Train Dispatchers Association.
AMS	Association of Mechanical Supervisors.
BB	International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers.
BLE	Brotherhood of Locomotive Engineers.
BMW	Brotherhood of Maintenance of Way Employees.
BRAC	Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express and Station Employees.
BRCA	Brotherhood Railway Carmen of United States and Canada.
BRS	Brotherhood of Railroad Signalmen.
BSCP	Brotherhood of Sleeping Car Porters.
HRE	Hotel and Restaurant Employees and Bartenders International Union.
IAM&AW	International Association of Machinists and Aerospace Workers.
IARE	International Association of Railway Employees.
IBEW	International Brotherhood of Electrical Workers.
IBFO	International Brotherhood of Firemen and Oilers.
ITDA	Illinois Train Dispatchers Association.

LU	Local Union.
MDFA	Mechanical Department Foremen's Association.
MMSW	International Union of Mine, Mill and Smelter Workers.
MRMFA	Milwaukee Road Mechanical Foremen's Association.
RED	Railway Employees' Department.
RYA	Railroad Yardmasters of America.
SA	System Association, Committee or Individual.
SMWIA	Sheet Metal Workers' International Association.
TWU	Transport Workers Union of America.
UMW	United Mine Workers of America.
USWA	United Steelworkers of America.
UTSE	United Transport Service Employees.
UTU	United Transportation Union.
WRSA	Western Railway Supervisors Association.

AIRLINES

ADA	Air Transport Dispatchers Association.
ALDA	Air Line Dispatchers Association.
ALEA	Air Line Employees Association.
ALPA	Air Line Pilots Association.
AMFA	Aircraft Mechanics Fraternal Association.
APA	Allied Pilots Association.
BRAC	Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express and Station Employees.
CWA	Communications Workers of America.
FEIA	Flight Engineers' International Association.
IAM&AW	International Association of Machinists and Aerospace Workers.
IBT	International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America.
IGFA	International Guild of Flight Attendants.
LU	Local Union.
OPEIU	Office & Professional Employees International Union.
TWU	Transport Workers Union of America.

