

**Forty-Fourth
Annual Report**

Including the Report
of the
National Railroad
Adjustment Board

**National
Mediation
Board**

For The Fiscal
Year Ended
September 30, 1978



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NATIONAL MEDIATION BOARD
Fiscal Year Ended September 30, 1978

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George S. Ives, Member
Robert O. Harris, Member

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NATIONAL MEDIATION BOARD
WASHINGTON, D. C. 20572

OFFICE OF THE CHAIRMAN

The President
President of the Senate
Speaker of the House of Representatives

Sirs:

It is my pleasure to submit the Forty-Fourth Annual Report of the National Mediation Board for fiscal year 1978, pursuant to the provisions of Section 4, Second, of Public Law No. 442, 73rd Congress, approved June 21, 1934. The report reflects the varied activities and accomplishments of the Board while administering the Railway Labor Act—the collective bargaining statute which governs labor relations in the rail and air transportation industries.

Following is an in-depth review of a busy and productive year that once again illustrates the Act continues to be as effective today as when enacted over half a century ago.

Respectfully,

David H. Stowe
Chairman

Register—Members, National Mediation Board

Name	Appointed	Terminations
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	Resigned April 30, 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, 1981
David H. Stowe	Dec. 10, 1970	Term expires July 1, 1979
Peter C. Benedict	Aug. 9, 1971	Deceased April 12, 1972
Kay McMurray	Oct. 5, 1972	Term expired July 1, 1977
Robert O. Harris	Aug. 3, 1977	Term expires July 1, 1980

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I. A Year of Accomplishment

The National Mediation Board entered Fiscal Year 1979 with the knowledge the previous 12-month period had been one of success and accomplishment that ranked among the best in its 44-year history.

The Board, in administering the Railway Labor Act, primarily handles mediation and representation disputes in the railroad and airline industries, both of which set all-time traffic records in 1978 and exerted tremendous impact on the nation's economy and travelling public. It also has administrative responsibility over the National Railroad Adjustment Board, which handles grievance disputes under existing rail contracts. A summary of NRAB activities for Fiscal Year 1978 is also included in this report.

The National Mediation Board had its work cut out for it in Fiscal Year 1978 in an effort to resolve numerous labor disputes in the two industries which together employ more than 800,000 men and women.

The three-member Board this year was chaired by David H. Stowe who, along with his colleagues, George S. Ives and Robert O. Harris, were assisted by a small but experienced staff of employees assigned to a myriad of labor relations matters, ranging from mediation and representation cases and hearings and

court proceedings to research, rule making, Freedom of Information and Sunshine Act activities.

The NMB marked a milestone this fiscal year. It reached an historic high when it went over the 10,000 mark in the number of mediation cases disposed of since this oldest of Federal labor relations agencies came into being in 1934. Actually, the mediation cases settled in that period totaled 10,140, covering a period marred by only 309 work stoppages. That adds up to an impressive 97% settlement rate. The Board in that time frame also disposed of nearly 5,000 representation cases covering tens of thousands of rail and airline employees.

The Board can also report a vastly improved strike record for the two industries in fiscal year 1978. Only three strikes of more than 24 hours' duration began in 1978—two in the railroads and one in the airlines. (A fourth—an airline strike—was already in progress as this fiscal year began.) A check by the NMB research department reveals this was the lowest air and rail strike record in *nearly 30 years*, going back to 1949!

Such a record is a tribute to the Board and the effectiveness of the Railway Labor Act. The Act's



IT WAS IN THEIR HANDS—National Mediation Board Members Robert O. Harris and George S. Ives and Chairman David H. Stowe (right) led the agency through one of its busiest years in the handling of railroad and airline disputes.

step-by-step procedures dealing with peaceful measures to settle disputes are carefully worked out to prevent, whenever possible, calamitous work stoppages that could result in hundreds of plant closings, thousands of layoffs in industries dependent on railroad and airline services and a general dislocation of the economy.

It must also be emphasized that this improved strike record is, in large measure, due to the collective bargaining skills of air and rail labor-management negotiators who, in working in a cooperative spirit with the Board, have in the interest of their industries practiced well the art of "give and take" as well as depending in large measure on good will and compromise to bring about final agreements, so essential in an era of inflation and economic unrest.

This was also a year of noticeable increase in the overall complexity of employee representation cases brought before the Board and an accelerated pace of public hearings beset by a proliferation of contested issues that resulted in the NMB's hearing officers having their busiest year, to date. A substantial increase in Freedom of Information Act requests taxed the efforts of the staff to the utmost and created a far more costly and time consuming problem than ever before.

This was a particularly busy year for the Board as it marked the opening round of national contract negotiations between rail unions and the country's major railroads.

Unlike virtually all other industrial relationships in the United States, railroad collective bargaining agreements are not commonly of a fixed duration. Instead, periodic requests for changes in wages, rules and working conditions may be raised by either party simply by filing notice of intent to change an existing agreement under procedures of the Railway Labor Act. That rail labor and management conduct collec-

tive bargaining negotiations on an industry-wide, rather than a piecemeal basis, is in the best interests of the nation in helping to preserve labor peace over an extended period of time following settlement.

At the beginning of Fiscal Year 1978, 13 major operating, non-operating and shop craft unions representing most of the railroad employees in the United States were up for contract renewal, with negotiations to be conducted between the various labor organizations and the National Railway Labor Conference, the carriers' bargaining arm, and assisted by the Board's mediation services.

The airlines, which negotiate individually with unions on a system-wide rather than an industry-wide basis, reached settlement with their employees in 54 cases requiring mediation assistance in Fiscal Year 1978. The year was also of importance to the industry as the International Association of Machinists & Aerospace Workers signed new three-year agreements with Texas International and Frontier Airlines with settlement pending with Trans World Airlines at the close of Fiscal Year 1978. Contracts are still to be negotiated between IAM&AW and several additional trunk lines. Certain airlines and unions also agreed on an innovative method of settling contract disputes promptly without the threat of a strike or a lockout.

These are just a few of the fiscal year's highlights, and will be discussed in more detail later in this report. Considering the range of the Board's responsibilities, the critically important role of these two domestic transportation industries, and the nation-wide scope of their operations, the three-member Board is a very small—and indeed active—agency when compared with much of the Federal bureaucracy.

A comprehensive 12-month review of the Board's administration of the Railway Labor Act is contained in the pages that follow.



THE RAILWAY LABOR ACT affects two critically important industries—the railroads and airlines.

How does the Act work? To better understand the varied activities and statistics presented in subsequent chapters, a step by step analysis of the Act and its administration by the National Mediation Board follows.



II. The Railway Labor Act— How it Works

The primary goal of the Railway Labor Act—administered by the National Mediation Board—is to maintain a free flow of commerce in the railroad and airline industries by resolving disputes that could disrupt travel or imperil the economic health of the nation.

This oldest of labor relations statutes, having reached the half century mark during the Bicentennial year, is as meaningful today as it was in 1926 when, in an unusual display of unity, railroad labor and management worked together on the provisions and solidly supported its passage. The Act was built around the indispensable ingredient of a free industrial society—collective bargaining. It is, therefore, based on the principles of freedom of contract and maximum self determination rather than government coercion. Personal initiative by both parties in reaching settlement is the Act's underlying theme and the mediation machinery begins in the public interest only when all bargaining efforts have failed.

Most Complete Development of Mediation

As one former Secretary of Labor told the Congress: "The Railway Labor Act embodies the fullest and most complete development of mediation, conciliation, voluntary agreement and arbitration that is to be found in any law governing labor relations."

The National Mediation Board, established when the Act was amended in 1934, also administers the National Railroad Adjustment Board which, headquartered in Chicago, is responsible for handling contract grievance disputes in the rail industry. Coverage under the Act was extended to the airlines in 1936.

Purposes of Act

The five basic purposes of the Act are to (1) prevent interruption of service, (2) insure the right of employees to organize and bargain collectively through representatives of their own choosing, (3) provide complete independence of organization by both parties, (4) assist in prompt settlement of disputes over rates of pay, work rules or working conditions, and (5) assist in prompt settlement of disputes or griev-

ances over interpretation or application of existing contracts.

The Act, therefore, imposes positive duties on carriers and employees alike, defines rights, makes provisions for their protection and prescribes methods for settling various types of disputes. It also sets up machinery for adjusting differences.

Duties of the Board

The National Mediation Board is the only Federal labor relations agency to handle both mediation and representation disputes. Its major duties are to: (1) mediate disputes between carriers and the labor organizations representing their employees concerning 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 bargaining efforts. These are referred to as "major disputes."

(2) Ascertain and certify the representative of any craft or class of employees to the carriers after investigation utilizing secret ballot elections. The Act states that the "majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class . . ." Two types of elections are held—mail-in and ballot box. In mail-in, each employee appearing on the eligible list is sent a ballot along with an instruction sheet of explanation on casting a secret ballot. A mediator monitors ballot box elections and if there are eligible voters who can't make it to the polls, he or she is sent a ballot by mail.

Eliminates Coercion

The Board, therefore, leaves no stone unturned to insure that each employee has the opportunity to cast a vote in complete privacy which also eliminates the possibility of coercion or intimidation. The carrier, though not a party to the dispute, is notified on the outcome of the election and what organization will be authorized to represent the employees.

The National Mediation Board has other duties imposed by law: The interpretation of agreements made under its mediatory auspices; appointment of

neutral referees when requested by various divisions of the National Railroad Adjustment Board to make awards in deadlocked cases; appointment of neutrals when requested to sit with certain other railroad and airline boards, and notification to the President when disputes arise which could disrupt interstate commerce. The President in his discretion may appoint an emergency board to investigate and report on the dispute.

Major Disputes (Step-by-Step Procedure)

The announcement of an intention to change an existing agreement can be made by either party in the form of a "Section 6" notice—so named because of the procedure for giving notice is spelled out in Section 6 of the Railway Labor Act. After the notice is served the two sides must agree within ten days to confer. The conference must be held within 30 days of the notice and may continue until a settlement or deadlock is reached. During this period and for ten days after the conference ends the Act provides the "status quo will be maintained and rates of pay, rules or working conditions shall not be altered by the carrier."

Mediation—A Success Story

When negotiations reach a stalemate, either party may request the services of the National Mediation Board in settling the dispute, or in the national interest, the Board may intercede without invitation. If this occurs the "status quo" remains in effect while the Board retains jurisdiction.

Mediation under the Act is frequently termed *mandatory mediation*. This does not mean mandatory settlement. The compulsion lies in the procedures of the Act requiring the parties to keep searching for a possible settlement through the mediation process—sometimes even longer than the parties deem worthwhile.

However, such procedures are most important. The authority of the Board to "move in" on a case when the chips are down, and to require the parties to refrain from taking independent action detrimental to the nation while under the Board's jurisdiction, prevents interruption to essential commerce and also encourages the parties to resolve their dispute without dealing a crippling blow to the economy. This unique device is found only in the Railway Labor Act.

Skill of the Mediator

Each mediation case is singular and the procedures adopted must be fitted to the issues involved, the time and circumstances of the dispute and the

personalities 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.

NMB mediator qualifications were best summed up at a Congressional hearing by Board Chairman David H. Stowe, who said: "We have 20 mediators scattered throughout the United States. They all are experts in the field of railroads and/or airlines. . . . We have felt it was very important that the mediators not only be experts in the art of mediation but have knowledge equal to those persons sitting at the table about the various problems of their respective industries. Most of our mediators have had at least 5 years' experience at the bargaining table in one or the other industry. Some of our mediators have had past experience at the bargaining table representing both management and labor, having gone from positions in organizations to positions in management."

In mediation the Board does not decide how the issues in dispute must be settled, but rather attempts to lead the parties through an examination of facts and alternative considerations which will lead to a settlement acceptable to both parties. Proof that the mediation procedure works, as previously stated, is in the fact that 97 percent of all cases handled by Board mediators have been resolved without a work stoppage.

Voluntary Arbitration

When the mediatory efforts of the Board have been exhausted without settlement, 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 voluntary procedure.

Arbitration does not go forward if either party says "no". But if the parties do accept, the Act provides a comprehensive arrangement by which the arbitration proceedings will be conducted. The Board has always believed that arbitration should be used by the parties more frequently in disposing of disputes which have not been settled in mediation. (In the airline industry some agreements provide that issues remaining in dispute, after direct negotiations and mediation fail to produce a complete contract, will be submitted to final and binding arbitration without resorting to independent action by either party.)

If mediation reaches an impasse and arbitration is rejected, the Board notifies both parties in writing and for 30 days thereafter, unless in the intervening period the parties agree to arbitration, or an emer-

agency board shall be created under the Act, no contract changes can be made.

Provisions of the Act permit the Board to offer its services in case any labor emergency is found to exist at any time. The Board on its own volition may 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. This has been helpful in averting numerous critical situations that could impede the free flow of commerce.

Emergency Boards

The Act provides that during the 30-day status quo period, if the Board decides the dispute "should threaten substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service," it shall notify the President who, in his discretion, may then "create a board to investigate and report respecting such dispute."

If the President names an emergency board—usually consisting of three members—that body has 30 days to investigate the dispute and report its findings. If the parties accept the findings the dispute is over. But the emergency board's recommendations are not binding. Either side may reject them. If the recommendations are rejected, neither party may act, except to reach an agreement, for 30 more days. The Act therefore provides the President with a method for postponing a strike for at least 60 days. If an agreement has still not been reached, the parties are then legally free to act.

During the long and successful history of the National Mediation Board there have been 188 Presidentially appointed boards—with only 33 such boards created to cope with airline disputes. There has not been an air carrier emergency board appointed by the President since 1966.

In fiscal year 1978 only one emergency board was appointed by the President. It centered on the dispute between Norfolk and Western Railway and the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees.

Actually, collective bargaining resolves most major disputes. But when direct negotiations fail, the Act's series of steps that follow have been successful in holding down the number of potential strikes.

Minor Disputes

Minor Disputes—and there are hundreds of them—arise when individual carriers and employees

disagree over the interpretation and application of existing contracts. The two industries handle grievances in the following ways:

Railroads:

Unresolved grievances may be referred by petition to one of the four appropriate divisions of the National Railroad Adjustment Board for final decision.

To settle minor disputes more promptly, the Act was amended in 1966 to set up Public Law Boards on individual railroad properties on the demand of the carrier or a representative of a craft or class of employees.

If the Railroad Adjustment Board or the Public Law Boards, comprised of equal representation of labor and management, cannot dispose of the disputes, they may select a neutral referee to break the tie or request the National Mediation Board to appoint a referee to sit with them.

These disputes are subject to compulsory arbitration and the decisions are final and binding. The Supreme Court has ruled that strikes over such issues are not legally permitted, holding that Congress had intended the Act's grievance board machinery to be mandatory, comprehensive and an exclusive system to resolve such railroad disputes.

Airlines:

No national adjustment board presently exists for settlement of grievances for airline employees though the Act provides for its establishment if ever considered necessary by the National Mediation Board. Air carriers and their employees have established grievance procedures with final jurisdiction resting with System Boards of Adjustment, and such agreements usually provide for referees to break deadlocks.

Grievance machinery, relatively successful in maintaining industrial peace in recent years, is explained in more detail in a subsequent chapter.

Summary

The Railway Labor Act is the culmination of 90 years of experience with Federal legislation to govern labor relations in the railroad and airline industries, all of which began when President Cleveland signed the Arbitration Act of 1888.¹

The railroads, in the labor relations field, were the first U.S. industry to be governed by Federal legislation. The amended Railway Labor Act, clearly

¹Other important actions included the Erdman Act, 1898; Newlands Act, 1913; Federal control of Railroads, 1917-20; and Transportation Act of 1920.

distinguishes different kinds of disputes, recognizes the differences in the principles which underlie them and provides different methods and establishes separate agencies for handling the various kinds. This well thought-out system, evolved through years of experimentation, provides a model labor relations policy, based on equal rights and mutual responsibilities.

The Act, it should be noted, is well adapted in procedures to handle bargaining of two entirely different industries—rail negotiations taking place on a national and a local basis, covering most major carriers and a large number of unions, while the airlines bargain independently with unions on a system-wide basis.

It is also significant that collective bargaining under the Act is largely independent of third party intervention, which testifies to a basically healthy collective bargaining relationship.

Mediation becomes involved only when unsolvable issues and situations arise in disputes and prevents the parties from taking precipitous action that could result in national chaos. The result has

been peaceful settlement of literally thousands of potentially volatile issues without strikes. Additionally, there are untold numbers of single-company disputes involving every individual labor organization and carrier in both the railroad and airline industries that are settled in direct negotiations without the need for mediation.

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.

In the final analysis, the Railway Labor Act works because those it covers, over the long haul, usually practice the art of “give and take” and depend on goodwill and compromise to reach final agreement. After all, the appeal to reason and loyalty is the hallmark of the democratic state. For over half a century now, facing the dilemma of preserving both group and individual liberties, the Act has never precipitated an unsolvable emergency. It is in this most fundamental sense that it can be characterized a success. It will continue to exist so long as this is true.

III. Highlights of Fiscal Year 1978

Bargaining Begins for Nation's Railroads

As previously mentioned, 13 major railroad unions representing most of the industry's employees, opened a new round of bargaining with the National Railway Labor Conference, the carriers' bargaining arm, in fiscal 1978.

Railroad unions individually and regionally have engaged in national negotiations with the carriers since shortly after the turn of the century. This round of negotiations, however, was unusually significant since it was only the second time that the moratorium on major issues in each labor contract expired simultaneously. Common expiration dates of contracts have created a coordinated bargaining effort enabling a "pattern" to be developed acceptable to the preponderance of carriers and employees in the industry. Such unified bargaining is a tribute to both unions and management, as industry-wide negotiations should help bring about an extended period of national rail stability after the last contract is ratified in the next fiscal year.

National Mediation Board members spend much of their time assisting in these wide negotiations—sometimes around the clock—in an effort to aid the

parties in reaching settlement. Settlement, of course, is significantly in the public interest in the railroad industry as a strike by any one union during this particular round of bargaining could have a devastating impact on the national economy.

These negotiations cover, basically, changes in rates of pay, increased cost of living adjustments and improvements in vacations, holidays and health and welfare benefits in the existing collective bargaining agreements.

Four unions—the Brotherhood of Locomotive Engineers, United Transportation Union, Brotherhood of Railroad Signalmen and the Brotherhood of Maintenance of Way Employees were the first to settle as negotiations got underway.

The signing of these contracts, covering 39 months and running through March 31, 1981, is important as these early agreements should create a format of bargaining on specific issues helpful in bringing about additional settlements between the parties. Other unions in national bargaining include the Railroad Yardmasters of America; Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express & Station Employees; International Association of Machinists and Aerospace Workers; Sheet Metal Workers' International Association;



RAILROAD UNIONS AND CARRIERS DISCUSS NATIONAL BARGAINING ISSUES—Before national contract bargaining began, key officials of 13 major unions, representing half a million employees, and the nation's railroads met to discuss the various issues and problems they were soon to face with mediation assistance from the National Mediation Board. This initial session in Chicago was devoted to common issues affecting all the unions, such as wages, cost of living adjustments, health and welfare, holidays, vacations and related matters.

American Train Dispatchers Association and the Railway Employees' Department comprised of the International Brotherhood of Electrical Workers; Brotherhood of Railway Carmen of America; International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; and the International Brotherhood of Firemen and Oilers.

How Certain Airlines Avoid Strikes through Expedited Procedures

A little publicized but highly innovative method of settling contract disputes promptly without the threat of a strike or a lockout is a procedure known as expedited mediation with interest (binding) arbitration.

The goal of such a procedure is to establish a definite time frame for resolving a dispute with settlement assured as the end result.

Mediation, of course, can be a long, drawn out procedure, even though a prompt and orderly settlement is the goal of any mediator. The Courts have reiterated the Act's purpose to prolong mediation procedures in certain situations until an agreement can be reached. However, in a joint effort to resolve each individual dispute promptly, the Board has worked closely with negotiating parties to develop expeditious ways, within the law, to resolve disputes.

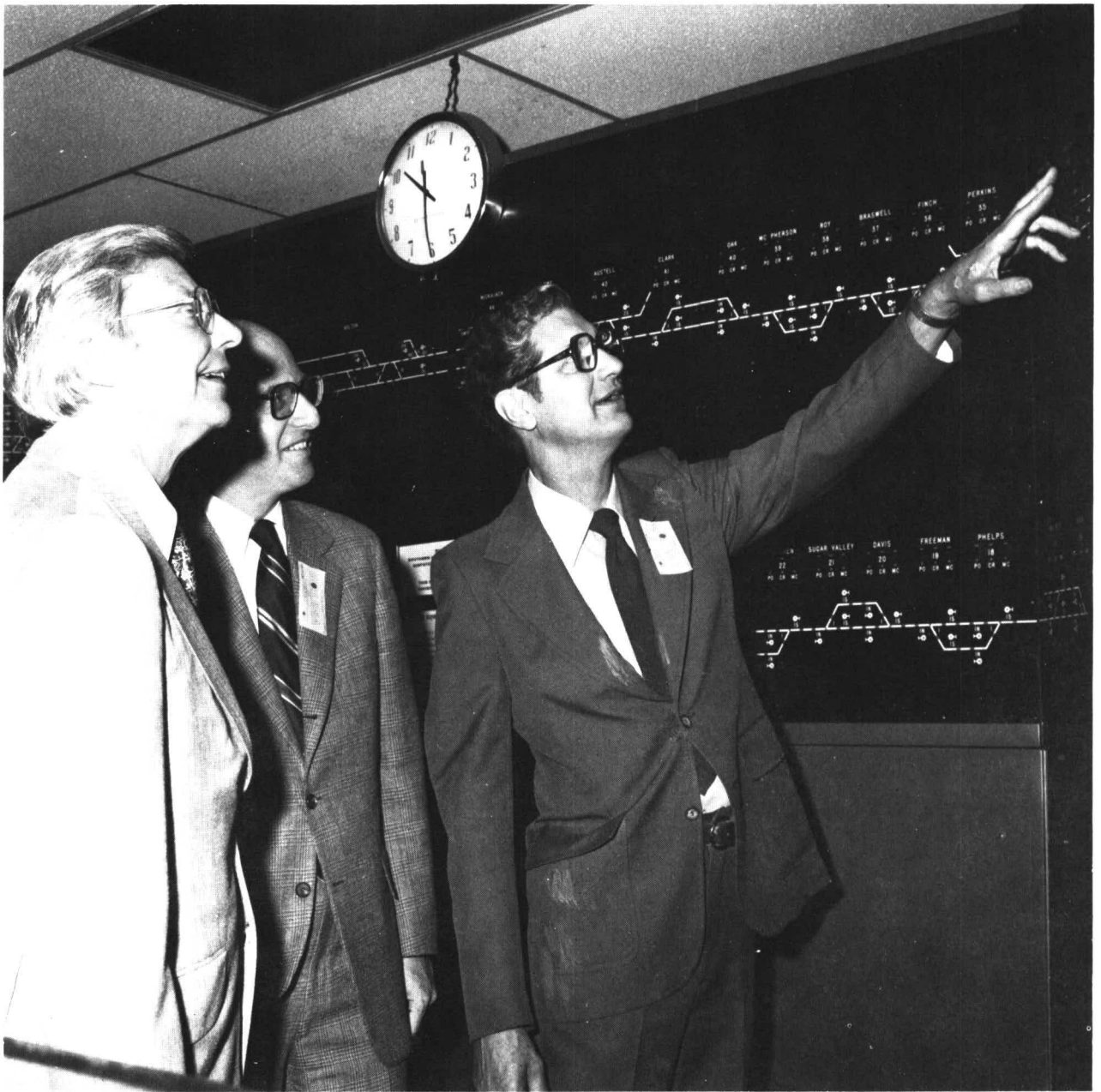
Alaska Airlines and the Air Line Pilots Association are a case in point. They used this expedited procedure for the first time in 1978. In what was termed in their letter of agreement of January 19, 1978, as being "desirous of promoting harmony, trust, confidence and a positive productive effort by management and the pilots toward their goals of stability, economic opportunity, growth and advancement," they agreed to a limited number of issues with only 30 days of direct negotiations. If necessary, this was to be followed by 30 days of mediation and then, if an impasse was reached, acceptance of "final and binding" arbitration of no more than 15 issues would be submitted by each party.

However, there was no need for mediation or arbitration as the two parties settled promptly in direct negotiations. The new contract was signed April 26, 1978, and the format proved so successful that the parties agreed to retain the procedure for the next round of bargaining in 1980. The pilots also have a similar type of agreement with Braniff Airways and variations of the concept exist between National Airlines and the Air Line Employees Association and Pan American World Airways and the Flight Engineers' International Association.

Additional examples of the willingness of men of good faith to bargain to a quick and successful conclusion can also be cited in the rail industry.



A 39-MONTH CONTRACT SIGNED—One of the first national agreements reached in mediation was with the Brotherhood of Maintenance of Way Employees, representing approximately 100,000 railroad workers. Participating in the contract signing are (left to right) Charles I. Hopkins, Jr., Chairman, National Railway Labor Conference, the railroads' bargaining arm; Ole M. Berge, President, Brotherhood of Maintenance of Way Employees; and George S. Ives, Member, National Mediation Board.



TRAIN SCHEDULING VITAL TO NATION'S RAILROADS—During national contract negotiations with the American Train Dispatchers Association in Chicago, ATDA President B. C. Hilbert explains a Dispatchers' control board system for train scheduling to National Railway Labor Conference Chairman, Charles I. Hopkins (left) and NMB Member Robert O. Harris.

During national rail bargaining in Fiscal Year 1978, when most major railroads negotiated collectively with various labor organizations, Conrail bargained separately with the unions. The Brotherhood of Railroad Signalmen and the Conductors and the Trainmen of the United Transportation Union, however, agreed in subsequent negotiations to reach settlement on certain issues within a specific time frame through the expedited mediation and interest arbitration process.

NMB Chairman David H. Stowe, who has been instrumental in assisting the carriers and unions in implementing these procedures, said recently that "none of the parties who have accepted this expedited method in the past have had to resort to arbitration, some having settled their differences in mediation just minutes before the arbitration deadline." While emphasizing that the goal of the expedited system is to structure bargaining in such a way as to avoid the arbitration step, if possible, he also pointed out:

"The time limits imposed for each step are realistic; they provide adequate periods in which to reach settlements without unduly dragging out the procedures. Such a method of reaching peaceful settlement is, of course, definitely in the public interest."

A second procedure, which has produced only limited success, is known as expedited mediation without agreement to submit to automatic and binding arbitration, if negotiations should reach that stage. In this procedure both parties following, say, 30 days of collective bargaining and 30 days of mediation, request the National Mediation Board to "proffer" arbitration without the "no strike" guarantee agreed to in the binding interest arbitration procedure. However, the Board, by law, has the final word as to when it believes mediation has reached an impasse.

Carrier-union contracts that resulted from expedited mediation procedures in Fiscal Year 1978 follow: Trans World Airlines and ALPA, the Independent Federation of Flight Attendants and the International Association of Machinists and Aerospace Workers; Overseas National (now defunct) and ALPA; and United Airlines and Western Air Lines with ALPA, representing the Flight Attendants.

(See "other types of interest arbitration cases" highlighted later in this section.)

Implementation of an Automatic Data Processing System

The National Mediation Board in Fiscal 1978 reviewed its present manual method of information collection, identification, location, and retrieval and determined that this system is insufficient to meet current needs. Accordingly, the Board has initiated plans to replace its current procedures with an automatic data processing system.

The first step taken by the Board in automating its information system was to conduct a feasibility study of the Board's computer requirements. The Board's second step was the development of detailed system specifications and workload information. The Board is currently involved in the third step of its overall plan for automation. This entails the evaluation of technical proposals submitted by private contractors in response to the Board's issuance of a Request for Proposal to acquire computer support.

The use of an automated system would be both cost effective and in many cases indispensable. An automated system would provide improved control over the security and integrity of Board information. Significantly, it will provide for a continuity of organizational effort in face of personnel turnover and reduce the dependence upon individual researcher's recall.



TO KEEP THE AIRLINES FLYING—National Mediation Board Member Robert O. Harris (right) meets in Chicago to discuss the steps leading to peaceful settlement through direct negotiations, mediation and arbitration procedures under the Railway Labor Act with ALEA President Victor J. Herbert (left) and Senior Staff Vice President Wyatt Johnson.

The Board plans to begin the implementation of an automated system during fiscal year 1980 with full implementation within three years.

Hearings: More Cases, More Complex Issues

Hearing proceedings before the National Mediation Board result in agency determinations directly evaluated and approved by the Board Membership rather than by a subordinate level. Characteristically, the Board's hearings present novel propositions for Board consideration and, require thorough analysis and research by agency staff.

National Mediation Board public hearings increased substantially in 1978. The increased pace of public hearings has been due to the growing formal and technical approach of carrier and labor representatives, the effects of the Freedom of Information Act and the Government in the Sunshine Act, as well as the particular emphasis of union organizational efforts in the airline industry.

Representation Issues Contested

In the past fiscal year there has been a noticeable increase in the complexity of representation cases before the Board. The tendency of carriers and labor organizations has been toward an increased formality in case handling before the Board, including the greater use of attorneys on their behalf. This formalization has led to a proliferation of contested issues associated with each case, as well as to the expanded need for public hearings to resolve the questions arising out of representation investigations.

Continued expanding organizational efforts on the part of labor unions, particularly in the airline industry, indicate an increased requirement for Board hearings during subsequent fiscal years. Significantly, these organizational efforts have been focused on representing employee job groupings where the basic craft or class structure was actively contested by the involved unions and carriers. In view of the potential labor-management conflict in such cases, it has been the Board's experience that the labor and carrier representatives generally participate as fully as possible in development of the informational base for Board actions. This public interest has in turn increased the overall requirement for public hearings as well as increased the complexity of each case.

In conjunction with public demand, the policy objectives of the Government in the Sunshine Act and the Freedom of Information Act, with respect to enhancing public disclosure and participation, have required more extensive public hearing activities. Other factors, including the growing pattern of litigation

to set aside Board actions, have increased the requirement for public hearings to place the Board's actions on as firm a factual and legal foundation as practicable.

Freedom of Information Act Workload Increases More Than 52 Percent

Freedom of Information Act (FOIA) activity increased over 52 percent in fiscal year 1978. Some 137 FOIA requests were received in fiscal year 1978 as compared with 90 requests in 1977. Sixteen appeals were filed from the Executive Secretary's initial decisions in fiscal year 1978. No such appeals were submitted in 1977.

Costly FOIA requests confronted the Board in 1978. They sought to examine every document in numerous case files which required the NMB's FOIA officer to analyze all documents in each file to determine whether the documents contained information privileged from disclosure under the exemptions of the FOIA. This type of broad request is substantially costlier and more time consuming than one which identifies the particular documents or information sought by the requestor.

Total amount of fees collected for making records available for 1978 was \$1,550.30. Such costs are only partial reimbursement for the true costs incurred in providing information. In 1978, for example, the Board estimated \$33,000 in non-recoverable costs were incurred to process and provide requested information.

Freedom of Information Regulations

Part 1208 of the rules of the National Mediation Board has been amended to conform to the requirements of the Freedom of Information Act as amended by Public Law 93-502, 88 Stat. 1561.

Requests for records must be in writing and mailed to the Executive Secretary of the National Mediation Board, Washington, D.C. 20572.

Requests for records of the National Railroad Adjustment Board must also be in writing and mailed to the Administrative Officer, National Railroad Adjustment Board, 220 South State Street, Chicago, Ill. 60604.

Each request must be specific in detail to permit identification and location of the records. Every reasonable effort shall be made by the Board to assist in the identification and location of the records sought.

The Executive Secretary will respond to each request, in writing, within 10 days.

A denial, complete or partial, may be appealed to the Chairman of the Board. Such appeals must be

made within thirty (30) days of receipt of the denial. The Chairman of the Board then has twenty (20) days to act on the appeal.

The National Mediation Board will maintain and make available for public inspection and copying a current index of the materials on file in the Board offices.

Court Decisions

Following are significant federal court decisions pertinent to the operations of the National Mediation Board, the National Railroad Adjustment Board and other adjustment boards constituted pursuant to the Railway Labor Act:

Judicial Review of National Mediation Board Representation Determinations

The Courts continued close adherence to the rule of *Switchman's Union of North America v. National Mediation Board*¹ and its numerous progeny that the courts have substantially no jurisdiction to review National Mediation Board determinations made pursuant to Section 2, Ninth of the Railway Labor Act.²

Sedalia-Marshall-Booneville Stage Line, Inc. v. National Mediation Board,³ involved a Carrier's challenge to the Board's voter eligibility determinations. Finding no basis for the Carrier's argument that the Board had failed to investigate the dispute as required by Section 2, Ninth, the Court rejected the Carrier's contention that the case fell within the scope of *International In-Flight Catering Co. v. National Mediation Board*.⁴ The Court found no merit to the Carrier's claims that it constitutionally was entitled to participate in the Board's eligibility determinations. The Court specifically rejected the Carrier's contentions that it was entitled to notice and an opportunity to present evidence with respect to eligibility determinations.

In *Local 732, International Brotherhood of Teamsters v. National Mediation Board*⁵ plaintiff labor organizations brought suit to halt an election directed by the Board. The Court ruled that Section 2, Ninth conferred authority upon the Board to decide, without court review, when a showing of interest warranting a representation election has been made. Nor did plaintiffs' allegation of fraud in the procurement of authorization cards for the showing of interest vest jurisdiction in the Court to review the Board's direction of an election. Allegations that a labor organization designated by the Board to appear on the ballot was not a qualified representative under the Act received the same disposition by the Court. The Court also refused to disturb the Board's determination that allegations the organization was in violation

(See footnotes at end of section)

of the Labor Management Reporting and Disclosure Act, 29 U.S.C. §411(a), were irrelevant to the Board's investigation.

Adjustment Board Proceedings

Following uniform District Court precedents the Tenth Circuit in *Sheehan v. Union Pacific Railroad Co.*,⁶ held that the quasi-judicial nature of the National Railroad Adjustment Board makes it inappropriate as a defendant in an action to review its award under Section 3, First (q) of the Act.⁷

The Court in *Merchants Despatch Transportation Co. v. System Federation No. 1., Railway Employees' Department, AFL-CIO, Carmen*⁸ was faced with the argument that a special board of adjustment created pursuant to the first paragraph of Section 3, Second of the Act⁹ and the neutral referee sitting with that board should be defendants in an action to review an award of the board. Finding no significant distinction between the functions of the National Railroad Adjustment Board and special boards of adjustment, the Court dismissed the special board and referee as defendants.

In the same case later the Court issued another significant ruling with respect to special boards of adjustment. On remand from the Seventh Circuit which held that awards of special boards were reviewable not under Section 3, First (q) of the Act but under the general jurisdictional provisions of federal law,¹⁰ the District Court nevertheless ruled that it would apply Section 3, First (p)¹¹ and (q) standards in reviewing the award of the special board due to a need for uniformity and the similarity of purpose of the three types of adjustment boards provided for in the Act.¹²

Following the lead of the Sixth Circuit in *Cole v. Erie Lackawanna Railway Co.*,¹³ the Seventh Circuit ruled in *O'Neill v. Public Law Board No. 550*¹⁴ that Section 3, First (j) of the Act¹⁵ is applicable to procedures of a public law board which is a creature of the second paragraph of Section 3, Second of the Act. However, the Court refused to follow *Cole* in its narrow view of what constitutes due notice of hearings as provided in Section 3, First (j). Instead the Court found that where an employee authorizes a union to represent him before a public law board and to receive any notices on his behalf, the Act does not require that the public law board give notice directly to the individual employee.

Other Significant Rulings

During Fiscal Year 1978 a collective bargaining dispute between the Norfolk and Western Railway Company and its employees represented by the

Brotherhood of Railway, Airline and Steamship Clerks resulted in a strike which eventually required the assistance of a Presidential Emergency Board to settle. The strike also spawned two important decisions on novel questions of law.

During the course of the strike, it was revealed that the N&W together with more than 70 other rail carriers were participants in a strike insurance program pursuant to which the N&W was receiving substantial daily payments. BRAC threatened to strike all carriers participating in the program, and the carriers sought injunctive relief. However, the Court ruled that the Norris-LaGuardia Act¹⁶ barred such relief. The Court found that the threatened strike would be lawful because the carriers, by participation in the strike insurance program, had allied themselves with the N&W in its dispute with BRAC. *Alton & Southern Ry. Co. v. Brotherhood of Railway, Airline & Steamship Clerks*.¹⁷

Thereafter, the strike spread to such extent that a Presidential Emergency Board was created pursuant to Section 10 of the Railway Labor Act.¹⁸ However, despite the status quo provisions of Section 10, BRAC did not cease its strike activity, and the struck carriers, some of which had begun massive layoffs and transfers, made no move to restore employment conditions to their pre-strike status.

The carriers and BRAC sued each other for injunctive relief, and the United States filed a separate suit for injunctive relief against both. After the cases were consolidated the Court ordered BRAC to end the strike and the carriers to restore working conditions to their pre-strike status. The Court specifically found that the status quo provisions of Section 10 required such action. *Alton & Southern Ry. Co. v. Brotherhood of Railway, Airline and Steamship Clerks*.¹⁹

¹³²⁰ U.S. 297 (1943).

²⁴⁵ U.S.C. §152, Ninth (1976).

³⁵⁷⁴ F.2d 394 (8 Cir. 1978), *cert. denied*, 439 U.S. 881 (1978).

⁴⁵⁵⁵ F.2d 712 (9 Cir. 1977).

⁵⁴³⁸ F. Supp. 1357 (S.D. N.Y. 1977).

⁶⁵⁷⁶ F.2d 854 (10 Cir. 1978), *rev'd on other grounds*, 439 U.S. 89 (1978).

⁷⁴⁵ U.S.C. §153, First (q) (1976).

⁸⁴⁴⁴ F. Supp. 75 (N.D. Ill. 1977).

⁹⁴⁵ U.S.C. §153, Second (1976).

¹⁰²⁸ U.S.C. §§1331, 1337 (1976).

¹¹⁴⁵ U.S.C. §153, First (p) (1976).

¹²⁴⁴⁷ F. Supp. 799 (N.D. Ill. 1978).

¹³⁵⁴¹ F.2d 528 (6 Cir. 1976), *cert denied*, 433 U.S. 914 (1977).

¹⁴⁵⁸¹ F.2d 602 (7 Cir. 1978).

¹⁵⁴⁵ U.S.C. §153, First (j) (1976).

¹⁶²⁹ U.S.C. §101, *et seq.* (1976).

¹⁷⁹⁹ LRRM 2323 (D.C.D.C. 1978), *aff'd. mem.*, 99 LRRM 3326 (D.C. Cir. 1978), *cert. denied*, 439 U.S. 996 (1978).

¹⁸⁴⁵ U.S.C. §160 (1976).

¹⁹Civil Action Nos. 78-1829 and 78-1838 (D.C.D.C. Sept. 29, 1978).



Photo above shows Board Member George S. Ives (left) and NMB Chairman, David H. Stowe, flanking former Secretary of Labor, William J. Usery, Jr., a principal speaker during the Sarasota meeting.

A Meeting of the Minds—NMB to Meet with Carriers and Unions to Work Toward New Labor Relations Goals

As the song goes, "It was just one of those things." In 1976 the National Mediation Board hosted in Sarasota, Florida, a symposium for the railroads and airlines to observe the 50th anniversary of the Railway Labor Act which coincided with the nation's Bicentennial Year. Specialists in Act's procedures presented papers on the various aspects of the statute which became the basis for the first comprehensive book on labor-management relations in the railroad and airline industries (subject of article that follows). The symposium was a great success—so it seemed only natural that the two industries have urged similar meetings to be held in the future to discuss a number of issues pertinent to both transportation segments.

As Fiscal 1978 came to a close, plans were being completed for a second conference to be held at St. Simons Island, Georgia, in the spring of 1979. This particular session will be coordinated by NMB with railroad labor and management. It is hoped that a conference with the airlines can be held at a later date.

First Comprehensive Book on the Railway Labor Act

Some 3,300 copies of "The Railway Labor Act at Fifty" had been sold by the end of Fiscal 1978. This first comprehensive book on the Railway Labor Act and its effectiveness in serving the railroad and airline industries was published last year. It was the outgrowth of a symposium sponsored by the National Mediation Board during the Bicentennial Year, which also marked the Act's 50th anniversary.

The 300-page publication, edited by Dr. Charles M. Rehmus, Co-Director of the Institute of Labor and Industrial Relations, University of Michigan, consists of scholarly papers written in a style that can be readily understood by those with little labor relations background. The papers were presented at the symposium by labor relations specialists who evaluated all procedures followed under the nation's oldest collective bargaining statute. Fifty years of NMB files and records were researched to develop all information and materials requested by the authors.

Copies at \$4.25 are still available and can be ordered from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

Rule-Making Activities

The National Mediation Board limits its rule-making activities to those matters required by statute or essential for the well-ordered management of agency programs. Accordingly, only two amendments to NMB regulations were issued by the Board in fiscal 1978.

Representation Disputes

On July 13, 1978, the Board published amendments to NMB Rules Section 1203.2 which concerned the Board's "Application for Investigation of Representation Dispute" (Form NMB-3).¹ The amended rule, which is codified at Title 29, Code of Federal Regulations, Section 1203.2, became effective July 13, 1978, on an interim basis pending the receipt and analysis of public comments.

The effect of the amendment was to discontinue the requirement that representation applications (Form NMB-3) submitted to the Board specify the exact number of authorizations forwarded by the applicant. A revised Form NMB-3 (1978) has been distributed and should be utilized in lieu of the previous

¹43F.R. 30053.

versions. Copies are available without cost at the Board's offices.

Government in the Sunshine Act

Section 1209 of the NMB Rules, which relates to agency Sunshine Act meetings, was amended by interim regulations during fiscal year 1978. Interim regulations were published in the Federal Register on November 29, 1977, and became effective from that date forward until further amended or substituted by final regulations.²

Essentially, the interim regulations permit the Board to utilize the expedited procedures of the Sunshine Act to close those deliberations exempt from public observation and otherwise qualifying for expedited closure under the Act. Interim regulations continue to provide the option of closure by regular procedures for other deliberations not meeting the expedited requirements.

Other Types of Interest Arbitration Cases

As stated earlier, interest arbitration insures final determination of a controversy. Over the years, arbitration proceedings have proved most beneficial in disposing of major disputes, and instances of court actions to set aside awards have been rare.

The Nation's railroads and the United Transportation Union and Brotherhood of Locomotive Engineers, during the course of their respective negotiations culminating in national agreements, agreed to the resolution of certain disputes by binding interest arbitration. Specific issues resolved in this manner are:

- (A) Switching limits
- (B) Interdivisional service

Following are 49 arbitration cases that have emanated from these national agreements:

²42F.R. 60739.

Arbitration Board No.	Carrier	Organization	Issue
314	Baltimore & Ohio RR. Co.	United Transportation Union.	Switching limits.
315	Southern Pacific Transportation Co. (Texas and Louisiana lines).	Brotherhood of Locomotive Engineers.	Interdivisional service.
316	do	United Transportation Union (C&T)	Do.
317	The Chesapeake & Ohio Ry. Co.	Brotherhood of Locomotive Engineers.	Switching limits.
318	do	United Transportation Union (E&T).	Do.
319	The Central RR. Co. of New Jersey.	Brotherhood of Locomotive Engineers.	Do.
320	do	United Transportation Union.	Do.
322	Soo Line RR. Co.	do	Interdivisional service.
323	St. Louis-San Francisco RR. Co.	Brotherhood of Locomotive Engineers.	Do.
325	Denver & Rio Grande Western Ry. Co.	United Transportation Union.	Interdivisional service and switching limits.

Arbi- tration Board No.	Carrier	Organization	Issue
327	Lehigh Valley RR. Co.	Brotherhood of Locomotive Engineers.	Interdivisional service.
328	Penn Central Transportation Co.	United Transportation Union (T).	Switching limits.
329	Atchison, Topeka & Sante Fe Ry. Co.	United Transportation Union.	Interdivisional service.
330	Penn Central Transportation Co.	United Transportation Union (E).	Switching limits.
331	Denver & Rio Grande Western RR. Co.	United Transportation Union (C&E&T).	Interdivisional service.
332	Penn Central Transportation Co.	do	Switching limits.
334	do	do	Do.
336	Norfolk & Western Ry. Co. (Proper)	United Transportation Union (C&T).	Interdivisional service.
337	Boston & Maine Corp.	United Transportation Union.	Switching limits.
338	Penn Central Transportation Co.	Brotherhood of Locomotive Engineers.	Do.
339	do	United Transportation Union (E).	Do.
340	Green Bay & Western RR. Co.	United Transportation Union.	Protection of employees.
342	Erie Lackawanna Ry. Co.	United Transportation Union (T).	Do.
343	Penn Central Transportation Co.	United Transportation Union.	Switching limits.
344	do	do	Do.
346	United Transportation Union (E&C&T).	Interdivisional service.	
347	Western Pacific RR. Co.	Brotherhood of Locomotive Engineers.	Do.
348	Reading Co.	do	Switching limits.
349	Lehigh Valley RR. Co.	do	Do.
351	St. Louis-San Francisco Ry. Co.	United Transportation Union.	Protection of employees.
352	Norfolk & Western Ry. Co.	do	Interdivisional service.
353	Lehigh Valley RR. Co.	do	Switching limits.
354	Reading Co.	Brotherhood of Locomotive Engineers.	Do.
356	Southern Pacific Transportation Co.	do	Do.
357	Penn Central Transportation Co.	do	Interdivisional service.
358	Southern Pacific Transportation Co.	United Transportation Union.	Switching limits.
359	Norfolk & Western Ry. Co.	Brotherhood of Locomotive Engineers.	Interdivisional service.
360	Atchison, Topeka & Sante Fe Ry. Co.	do	Switching limits.
361	do	United Transportation Union.	Do.
362	Chicago, Rock Island & Pacific RR. Co.	Brotherhood of Locomotive Engineers.	Interdivisional service.
364	St. Louis-San Francisco Ry. Co.	Brotherhood of Locomotive Engineers.	Switching limits.
365	St. Louis-San Francisco Ry. Co.	United Transportation Union (C-T-Y-E).	Switching limits.
366	Grand Trunk Western RR. Co.	United Transportation Union.	Switching limits.
368	Denver & Rio Grande Western RR. Co.	Brotherhood of Locomotive Engineers.	Interdivisional service.
372	Louisville & Nashville RR. Co.	United Transportation Union.	Switching limits.
373	Boston & Maine Corp.	United Transportation Union.	Switching limits.
374	Seaboard Coast Line RR. Co.	Brotherhood of Locomotive Engineers.	Interdivisional service.
375	Southern Ry. Co.	United Transportation Union.	Switching limits.
376	Norfolk & Western Ry. Co.	United Transportation Union.	Protection of employees.

Another significant interest arbitration case in Fiscal 1978 was: *Arbitration Board No. 371—South Buffalo Railway Company and the Railroad Yardmasters of America.*

In Mediation Case No. A-10106 the parties agreed to arbitrate a dispute over the Yardmasters eligibility to participate in the carrier's Savings Plan, established in March 1975. The company contended the union was not eligible since, "To be eligible for the plan, you must be a *non-represented* salaried employee in the steel, coal or supply division who has one year or more of continuous service."

However, the Yardmasters contended that they should be eligible to participate because of the wage

and fringe benefits pattern set in 1957 and 1973 agreements with the carrier. In rendering the award, the Arbitration Board concluded the employees of the labor organization were entitled to participate in the Savings Plan, "regardless of the fact that they were a group represented by a union."

The Board concluded: "Since there is no question but that the Savings Plan is a fringe benefit and that it was extended to other salaried employees, there is no question but that it should have been extended to the employees covered by the Organization's Agreement in accordance with the understandings reached since 1957 and more recently in 1973. Since the eligibility requirements of the Savings Plan were



BRINGING ABOUT A GREATER AWARENESS—David H. Stowe made it one of his goals as NMB Chairman to bring about a greater awareness and understanding of the effectiveness of the Railway Labor Act and its benefits to the rail and airline industries. Chairman Stowe and Board Members George S. Ives and Robert O. Harris addressed various railroad and airline groups during the fiscal year. Shown in photo is Mr. Stowe (right) being welcomed as a principal speaker by Frank Ferlin, Jr., Grand President of the American Railway Supervisors Association, at the union's 34th Biennial Convention in Chicago in September.

determined by the Company and may be modified by the Board of Directors, they may be modified to accommodate the earlier Agreement which is controlling.”

Arbitration Task Force

An agreement between certain employees represented by the United Transportation Union and the railroads represented by the National Carriers’ Conference Committee set forth an arrangement to effect individual carrier implementation of interdivisional, interseniority districts and intradivisional or intra-

seniority district services, in freight or passenger service.

This arrangement provides for the carrier and union to each designate representatives to serve on a “task force” appointed for the purpose of meeting and discussing the implementation of the runs specified by the carrier.

If the task force is unable to agree, the matter is submitted to interest arbitration for a final and binding decision. Arbitrators are appointed by the National Mediation Board.

The following Arbitration Task Force decisions have been rendered under this series:

Arbitration Task Force No.	Carrier	Organization	Issue
1	Penn Central Transportation Co.	United Transportation Union.	Interdivisional service.
2	Southern Pacific Transportation Co.	do	do
3	Lehigh Valley RR. Co.	do	do
4	Baltimore & Ohio RR. Co.	do	do
5	Southern Ry. Co.	do	do
	Alabama Great Southern RR. Co.		
	Cincinnati, New Orleans & Texas Pacific Ry. Co.		
	Georgia Southern & Florida Ry. Co.		
	Central of Georgia RR. Co.		
6	Denver & Rio Grande Western RR. Co.	do	do
7	Missouri Pacific RR. Co.	do	do
8	Chicago, Rock Island & Pacific RR. Co.	do	do
9	Norfolk & Western Ry. Co.	do	do
10	Chessie System.	do	do
11	Grand Trunk Western RR. Co.	do	do
12	Southern Ry. Co.	do	do
13	Detroit & Mackinac Ry. Co.	do	do
14	Seaboard Coast Line RR. Co.	do	do
15	Delaware & Hudson Ry. Co.	do	do
16	Delaware & Hudson Ry. Co.	do	do

Other Items of Interest

Regional Rail Reorganization Act of 1973

The Regional Rail Reorganization Act of 1973, Public Law 93-236 provided for the establishment of the *U.S. Railway Association* and the *Consolidated Rail Corp.* as well as allocating certain responsibilities to the National Mediation Board.

Section 504 of the Act, captioned Collective-Bargaining Agreements, directs in subsection (b) that the National Mediation Board shall appoint a *neutral referee* in the event the parties fail within specified periods to perfect the terms of agreements implementing the transfer of each craft or class of employees to the *Consolidated Rail Corp.* and are unable to jointly select a neutral to adjust any remaining differences regarding such agreements. Sub-

section (f) of section 504, added by the 1976 amendments to the Act, requires the National Mediation Board to exercise like responsibilities regarding agreements implementing the *transfer of employees to the National Railroad Passenger Corp.* Under both subsections, the decision of the neutral referee is final and binding.

Section 505 of the Act, Employee Protection, assigns the Board the responsibility of appointing a third qualified real estate appraiser in unresolved disputes with respect to the liquidation of a protected employee’s property rights in his or her current residence. Such appointments will be made by the Board upon request when the appraisers selected by the parties fail to agree on the appropriate compensation for any losses sustained and are unable to jointly select a

third appraiser. The decision of a majority of the appraisers is binding upon the parties.

Section 507 of the Act, Arbitration, provides that any dispute or controversy with respect to the interpretation, application, or enforcement of title V of the Act, except as otherwise expressly limited, may be submitted by either party to an adjustment board created and administered under section 3 of the Railway Labor Act. Under appropriate circumstances, therefore, the National Mediation Board is responsible for appointing the neutral member of such adjustment boards and/or designating one or more of the partisan members. Any two members of a board so convened are competent to render a final and binding award.

Arbitrators selected from panels submitted by the National Mediation Board pursuant to provisions of the Regional Rail Reorganization Act during fiscal year 1978 are listed in appendix B, table 7.

Railroad Revitalization and Regulatory Reform Act of 1976

The Railroad Revitalization and Regulatory Reform Act of 1976, Public Law 94-210, provided for the implementation of the final system plan as adopted by the U.S. Railway Association and the establishment of the Operations Review Panel as well as assigning certain responsibilities to the National Mediation Board.

The protective arrangements prescribed by the Secretary of Labor pursuant to section 516 of the Act, Employee Protection, contain several provisions which require the National Mediation Board to appoint a *neutral referee* in the event the parties are unable to do so within the time periods specified.

Such provisions are found in paragraphs 4(b), 11(a) and 12(d) of the protective conditions adopted by the Secretary.

Section 702 of the Act established a body known as the *Operations Review Panel* which was to be representative of the various public and private rail entities utilizing the Northeast corridor's rail transportation facilities. With limited exceptions, the Panel was provided with complete authority to take such actions as are necessary to resolve differences of opinion concerning all operational matters within the eight Northeast corridor States and the District of Columbia which arise among the *National Railroad Passenger Corp.*, other corridor railroads, and the State, local, and regional agencies responsible for furnishing the corridor's commuter rail, rapid rail, or rail freight services. Decisions of the Panel are final and binding on the parties and are not subject to review by any court.

As provided by the Act, the Panel consists of five members, three of whom are appointed by the constituent rail carriers and commuter rail authorities and two who are selected by the Chairman of the National Mediation Board. Francis A. O'Neill and Maynard E. Parks were appointed by the Board's chairman as neutral members of the panel. The rules of procedure subsequently adopted by the Panel provided that the body shall be chaired by one of the neutral members who shall retain full voting privileges while serving as Chairman. Mr. O'Neill served as the Panel's chairman for fiscal 1978. A major activity during the year included a hearing held by the Panel, as requested by the State of New Jersey, on the matter of certain anticipated schedule changes and reductions in service which were announced by the National Railroad Passenger Corporation.

IV. Record of Cases

Closed Out Cases Top 15,000 Mark

For the first time in the National Mediation Board's history, the aggregate number of disposed of cases went over 15,000—15,129 to be exact. The breakdown included 10,140 mediation, 4,847 representation and 142 interpretation cases stamped "closed."

A brief description of these three dispute categories follows:

(1) *Representation*—Disputes 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 in 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.

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.

These three categories of formerly docketed disputes form the basis of the tables at the end of this chapter.

New Cases Docketed

As Table 1 indicates, there was a 44-case increase in the number docketed in fiscal year 1978. This year's

number rose to 325 cases as compared to 281 docketed in fiscal year 1977. The '78 figure reveals an increase in both representation and mediation cases. Although there were no new interpretation cases docketed, one such dispute from the previous fiscal year was closed out.

Disposition of Cases

A number of difficult and complex dispute issues meant many extra hours of time for the NMB staff in bringing cases to a close in fiscal 1978. Table 1 shows 287 cases of all types disposed of this fiscal year—a slight decrease from the previous year.

Major Groups of Employees Involved in Various Cases

Table 2 shows that 15,729 employees were involved in 105 representation cases disposed of in fiscal year 1978. Resolution of 54 airline disputes covered more than 14,200 employees while, in the railroads, 1,518 workers were involved in the disposition of 51 representation cases.

Table 3 reveals that of the 287 representation and mediation cases disposed of, employees in the railroads were involved in 179 and those in the airlines 108.

In the railroad industry, the greatest activity was among train, engine and yard service employees with a total of 95 cases, including 20 representation and 75 mediation disputes.

In the airline industry, Table 3 indicates clerical, office, fleet and passenger service employees were involved in the most disputes—14 representation and 13 mediation cases. They were followed in case disposition by the airline pilots, 7 representation and 14 mediation; the flight attendants, 3 representation and 9 mediation; and the mechanics and related, 5 representation and 5 mediation.

Table 4 is a summary of crafts or classes of employees involved in representation cases closed out in fiscal year 1978. Involved in a total of 105 cases—54 airlines, 51 railroads—were 110 craft or class determinations covering 15,729 employees. The overwhelming number of employees seeking representation were in the airlines, covering 14,211 of the 15,729 persons involved.

In this decade, 772 representation cases have been closed out by the Board encompassing over 870 craft or class determinations and covering nearly 200,000 employees. Approximately 440 of those cases resulted in certification of employee representatives by the Board.

Record of Mediation Cases

During the fiscal years 1970-78, the Board closed out nearly 3,000 cases of all types and more than 2,200 of those disposed of were mediation cases. As to the current fiscal year, the Board docketed 198 mediation cases and, with the carry-over, there were 369 cases still pending at the beginning of the fiscal year. The Board disposed of 181 disputes leaving 188 mediation cases unsettled at the end of fiscal year 1978.

Election and Certification of Representatives

Table 2 shows that 11,079 employees actively participated in the outcome of 105 representation disputes. Certifications were issued in 54 cases—29

railroad and 25 airline. Of the 29 railroad cases, 29 crafts or classes were involved among 1,507 employees, of which 1,200 participated in the selection of a representative. Of the 25 airline cases, 26 crafts or classes were involved among 9,718 employees, of which 8,263 participated in the elections. There were 5 certifications based on verification of authorization cards issued in fiscal year 1978—all in the railroad industry. The Board dismissed 51 cases, 22 in the railroads and 29 in the airlines.

Table 5 shows that 471 employees in 13 crafts or classes acquired representation for the first time by means of an election by a national organization in the railroad industry. In the airlines, 374 employees in 16 crafts or classes were represented for the first time through a national organization election.

In the railroads, a new representative was selected by 195 employees in 4 crafts or classes via an election by a national labor organization. In the airlines, a new representative was selected by 188 employees in 5 crafts or classes through election procedures. Also, 5,042 employees in 3 crafts or classes retained their same national organization following a challenge by another union.

Table 1—Number of Cases Received and Disposed of, Fiscal Years 1935-1978

Status of Cases	44-Year Period 1935-1978	1978	1977	Transition Quarter	1976	1975	1970-74 5-year Period (Average)	1965-69 5-Year Period (Average)	1960-64 5-Year Period (Average)	1955-59 5-Year Period (Average)	1950-54 5-Year Period (Average)
All Types of Cases											
Cases pending & unsettled at beginning of period	96	205	222	214	285	279	447	472	248	202	136
New cases docketed	15,276	325	281	77	292	304	300	394	302	413	415
Total cases on hand & received	15,372	530	503	291	577	583	747	866	550	615	551
Cases disposed of ..	15,129	287	298	69	363	298	339	356	289	401	403
Cases pending & unsettled at end of period	243	243	205	222	214	285	408	510	261	214	148

Table 1—Number of Cases Received and Disposed of, Fiscal Years 1935-1978—(Continued)

Status of Cases	44-Year Period 1935-1978	1978	1977	Transition Quarter	1976	1975	1970-74 5-year Period (Average)	1965-69 5-Year Period (Average)	1960-64 5-Year Period (Average)	1955-59 5-Year Period (Average)	1950-54 5-Year Period (Average)
Representation Cases											
Cases pending & unsettled at beginning of period	24	33	40	37	23	19	11	22	17	22	34
New cases docketed	4,878	127	105	31	107	68	76	82	62	100	136
Total cases on hand & received	4,902	160	145	68	130	87	87	104	79	122	170
Case disposed of ..	4,847	105	112	28	93	64	74	82	62	102	137
Case pending & unsettled at end of period	55	55	33	40	37	23	13	22	17	20	33
Mediation Cases											
Cases pending & unsettled at beginning of period	72	171	182	177	261	259	435	447	228	173	102
New cases docketed	10,256*	198	172	46	183	232	221	309	235	304	276
Total cases on hand & received	10,328	369	354	223	444	491	656	756	463	477	378
Cases disposed of ..	10,140*	181	183	41	267	230	261	271	221	290	264
Cases pending & unsettled at end of period	188	188	171	182	177	261	395	485	242	187	114
Interpretation Cases											
Cases pending & unsettled at beginning of period	None	1	0	0	1	1	2	3	3	6	0
New cases docketed	142	0	3	0	2	4	2	3	5	9	3
Total cases on hand & received	142	1	3	0	3	5	4	6	8	15	3
Cases disposed of ..	142	1	2	0	3	4	3	3	5	8	2
Cases pending & unsettled at end of period	0	0	1	0	0	1	1	3	3	7	1

*This figure does not include reopened and reclosed cases.

**Table 2—Representation Cases Disposition By Craft or Class, Employees Involved and Participating,
October 1, 1977 to September 30, 1978**

	Railroads				Airlines			
	No. of Cases	No. of Crafts and Classes	No. of Employees Involved	No. of Participating Employees	No. of Cases	No. of Crafts and Classes	No. of Employees Involved	No. of Participating Employees
Total	51	51	1,518	1,204	54	59	14,211	9,875
Disposition:								
Certification	29	29	1,507	1,200	25	26	9,718	8,263
Dismissals	22	22	11	4	29	33	4,493	1,612
Total All Cases	105		15,729	11,079				

**Table 3—Number of Cases Disposed of By Major Groups of Employees
October 1, 1977 to September 30, 1978**

	Number Of —			
	All Types of Cases	Represent- ation Cases	Mediation Cases	Interpre- tation Cases
Grand Total, All Groups of Employees	287	105	181	1
Railroad Total	179	51	127	1
Combined Groups, Railroad	3	0	3	0
Train, Engine, and Yard Service	95	20	75	0
Mechanical Foremen and/or Supervisors of Mechanics	2	1	1	0
Maintenance of Equipment	0	0	0	0
Clerical, Office, Station and Storehouse	5	1	4	0
Yardmasters	4	0	4	0
Maintenance of Way and Signal	13	6	7	0
Subordinate Officials in Maintenance of Way	3	2	1	0
Agents, Telegraphers, and Towermen	3	0	3	0
Train Dispatchers	13	1	11	1
Technical Engineers, Architects and Draftsmen, etc.	1	0	1	0
Dining Car Employees, Train and Pullman Porters	0	0	0	0
Patrolmen and Special Officers	4	3	1	0
Marine Servicemen	1	0	1	0
Miscellaneous Railroad	32	17	15	0
Airline Total	108	54	54	0
Combined Groups, Airline	12	5	7	0
Mechanics and Related	10	5	5	0
Radio and Teletype Operators	4	2	2	0
Clerical, Office, Fleet and Passenger Service	27	14	13	0
Flight Attendants	12	3	9	0
Pilots	21	7	14	0
Airline Dispatchers	5	3	2	0
Meteorologists	0	0	0	0
Stock and Stores	2	2	0	0
Flight Engineers	0	0	0	0
Flight Navigators	0	0	0	0
Flight Kitchen and Commissary Employees	1	1	0	0
Guards	0	0	0	0
Miscellaneous Airline	14	12	2	0

Table 4—Number of Crafts or Classes and Number of Employees Involved in Representation Cases, by Major Groups of Employees, October 1, 1977 to September 30, 1978

Major Groups of Employees	Number of Cases	Number of Crafts or Classes	Employees Involved	
			Number	Percent
Grand Total, All Groups of Employees	105	110	15,729	100
Railroad Total	51	51	1,518	10
Dining Car Employees, Train and				
Pullman Porters	0	0	0	0
Engine Service	14	14	238	2
Train Service	5	5	12	(1)
Yard Service	1	1	6	(1)
Mechanical Department Foremen and/or				
Supervisors of Mechanics	1	1	37	(1)
Maintenance of Equipment	0	0	0	0
Clerical, Office, Station, and				
Storehouse Employees	1	1	4	(1)
Yardmasters	0	0	0	0
Maintenance of Way and Signal	6	6	308	2
Subordinate Officials, Maintenance of Way	2	2	83	(1)
Agents, Telegraphers, and Towermen	0	0	0	0
Train Dispatchers	1	1	95	(1)
Technical Engineers, Architects,				
Draftsmen and Allied Workers	0	0	0	0
Patrolmen and Special Officers	3	3	408	3
Marine Service	0	0	0	0
Combined Groups, Railroad	0	0	0	0
Miscellaneous, Railroad	17	17	327	2
Airline Total	54	59	14,211	88
Mechanics and Related Employees	5	5	105	(1)
Flight Navigators	0	0	0	0
Clerical, Office, Fleet and Passenger				
Service Employees	14	14	4,906	31
Stock and Stores Employees	2	2	988	6
Flight Attendants	3	3	4,125	26
Pilots	7	7	223	1
Flight Engineers	0	0	0	0
Airline Dispatchers	3	3	15	(1)
Commissary Employees	1	1	240	2
Radio and Teletype Operators	2	2	27	(1)
Meteorologists	0	0	0	0
Combined Groups, Airline	5	10	3,463	22
Miscellaneous, Airline	12	12	119	(1)

(1) Less than one percent.

**Table 5—Number of Crafts or Classes Certified and Employees Involved in Representation Cases by Type of Results,
October 1, 1977 to September 30, 1978**
(Percentages Listed Below are Based on a Total of 15,729 Employees Involved in Representation Cases During the Fiscal Year.)

	Certification Issued To —								
	National Organizations			Local Unions			Total		
	Craft or Class	Employees Involved Number	Percent	Craft or Class	Employees Involved Number	Percent	Craft or Class	Employees Involved Number	Percent
RAILROADS									
Representation Acquired:									
Elections	13	471	3	6	717	4	19	1,188	7
Proved Authorizations	1	2	(1)	0	0	0	1	2	(1)
Representation Changed:									
Elections	4	195	1	0	0	0	4	195	1
Proved Authorizations	4	31	(1)	0	0	0	4	31	(1)
Representation Unchanged:									
Elections	0	0	0	1	91	(1)	1	91	(1)
Proved Authorizations	0	0	0	0	0	0	0	0	0
Total, Railroad	22	699	4	7	808	4	29	1,507	8
AIRLINES									
Representation Acquired:									
Elections	16	374	2	0	0	0	16	374	2
Proved Authorizations	0	0	0	0	0	0	0	0	0
Representation Changed:									
Elections	5	188	1	2	4,114	26	7	4,302	27
Proved Authorizations	0	0	0	0	0	0	0	0	0
Representation Unchanged:									
Elections	3	5,042	32	0	0	0	3	5,042	32
Proved Authorizations	0	0	0	0	0	0	0	0	0
Total, Airline	24	5,604	35	2	4,114	26	26	9,718	61
Total, Combined Railroad and Airline	46	6,303	39	9	4,922	30	55	11,225	69

(1) Less than one percent.

NOTE—These figures do not include cases that were either withdrawn or dismissed. Because of rounding, sums of individual items may not equal totals.

Table 6—Employee Representation on Selected Rail Carriers as of September 30, 1978

Railroad	Engineers	Firemen and Hostlers	Conductors	Brakemen, Flagmen, and Baggagemen	Yard- Foremen, Helpers, and Switch- tenders	Yardmasters	Clerical, Office, Station, and Store- house	Maintenance of Way Employees	Telegraphers	Dispatchers
Alabama Great Southern RR Co.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Atchison, Topeka & Santa Fe Rwy.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Baltimore & Ohio RR	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Bessemer & Lake Erie RR	UTU	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	X
Boston & Maine Corp.	BLE	BLE	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Burlington Northern	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Central of Georgia Rwy. Co.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Chesapeake & Ohio Rwy.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Chicago & North Western Transportation Co.	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 Rwy	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Cincinnati, New Orleans and Texas Pacific Rwy. Co.	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Clinchfield RR	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Colorado & Southern Rwy.	BLE	BLE	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA
Consolidated Rail Corp.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Delaware & Hudson Rwy. 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 & Ironton RR	BLE	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA
Duluth, Missabe & Iron Range Rwy.	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Elgin, Joliet & Eastern Rwy.	BLE	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	LU
Florida East Coast Rwy.	FFRE	X	FFRE	FFRE	X	FFRE	FFRE	FFRE	FFRE	FFRE
Fort Worth & Denver Rwy.	BLE	BLE	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Grand Trunk Western RR	BLE	BLE	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Illinois Central Gulf RR	BLE	UTU	UTU	UTU	UTU	SA	BRAC	BMW	BRAC	ITDA
Kansas City Southern Rwy.	BLE	BLE	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Long Island RR	BLE	BLE	UTU	UTU	UTU	RYA	BRAC	IBT	BRAC	ARSA
Louisville & Nashville RR	BLE	BLE	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Michigan Interstate Rwy. Co.	BLE	BLE	UTU	UTU	UTU	ARSA	BRAC	BMW	BRAC	ATDA
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
National RR Passenger Corp.	(*)	(*)	(*)	(*)	(*)	RYA	BRAC	BMW	BRAC	ATDA
Norfolk & Western Rwy.	BLE	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA
Pittsburgh & Lake Erie RR	BLE	BLE	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
St. Louis-San Francisco Rwy.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
St. Louis Southwestern Rwy.	BLE	BLE	UTU	UTU	UTU	WRSA	BRAC	BMW	BRAC	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	(*)
Southern Pacific Transportation Co.	BLE	UTU	UTU	UTU	UTU	WRSA	BRAC	BMW	BRAC	ATDA
Southern Rwy.	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Union Pacific RR	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	LU
Western Maryland Rwy.	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA
Western Pacific RR	BLE	BLE	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA

See footnotes at end of table.

Table 6 — Employee Representation on Selected Rail Carriers as of September 30, 1978—Continued

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
Alabama Great Southern RR Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	BRAC	BRAC
Atchison, Topeka & Santa Fe Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	UTU	(*)
Baltimore and Ohio RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	RED	UTU	BRAC
Bessemer & Lake Erie RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	(*)	(*)
Boston & Maine	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	SA	BRAC
Burlington Northern	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Central of Georgia Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Chesapeake & Ohio Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Chicago & North Western Transportation Co.	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	MRSA	UTU	HRE
Chicago, Rock Island & Pacific Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Cincinnati, New Orleans and Texas Pacific Rwy. Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Clinchfield RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	(*)	(*)
Colorado & Southern Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	BRAC
Consolidated Rail Corporation	IAM&AW	BB	SMWIA	IBEW	BRCA/TWU	IBFO	BRS	ARSA	(*)	(*)
Delaware & Hudson Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Denver & Rio Grande Western RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	X	UTU	SA
Detroit Toledo & Ironton RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	BRCA	(*)	(*)
Duluth, Missabe & Iron Range Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	MDFA	(*)	(*)
Elgin, Joliet & Eastern Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	(*)	(*)
Florida East Coast Rwy.	FFRE	FFRE	SMWIA	IBEW	FFRE	IBFO	BRS	ARSA	(*)	(*)
Fort Worth & Denver Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	SA	UTU	HRE
Grand Trunk Western RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Illinois Central Gulf RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	UTU	HRE
Kansas City Southern Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Long Island RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Louisville & Nashville RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	X	UTU	HRE
Michigan Interstate Rwy. Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Missouri-Kansas-Texas RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Missouri Pacific RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	(*)	ARSA	(*)	(*)
National RR Passenger Corporation	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Norfolk & Western Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Pittsburgh & Lake Erie RR	IAM&AW	BB	SMWIA	IBEW	TWU	IBFO	BRS	ARSA	(*)	(*)
St. Louis-San Francisco Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	UTU	HRE
St. Louis Southwestern Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	X	HRE
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.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Southern Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	BRAC
Union Pacific RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE
Western Maryland Rwy.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)	(*)
Western Pacific RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU	HRE

* Carriers report no employees in this craft or class.

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

Table 6a. — Employee Representation on Selected Rail Carriers as of September 30, 1978 (Marine)

Railroad (Marine)	Licensed Deck Employees	Licensed Engine Room Employees	Unlicensed Deck Employees	Unlicensed Engine Room Employees	Captains, Lighters, Grain Boats	Floatwatchmen, Bridgemen, Bridge Operators	Cooks, Chefs, Waiters
Atchison, Topeka & Santa Fe Rwy.	MMP	MEBA	IUP	—	—	—	—
Chesapeake & Ohio Rwy.:							
Chesapeake District	MMP	MEBA	SIU	USWA	—	—	—
Pere Marquette District	MMP	GLLO	NMU	NMU	—	—	NMU
Grand Trunk Western RR	GLLO	MEBA	NMU	NMU	—	—	NMU
Norfolk & Western Rwy.	GLLO	MEBA	USWA	USWA	MEBA	—	—

Table 6b.—Employee Representation on Selected Air Carriers as of September 30, 1978

Airline	Pilots	Flight Engineers	Flight Navigators	Flight Dispatchers	Flight Attendants	Radio and Teletype Operators	Mechanics	Clerical, Office, Fleet and Passenger Service	Stock and Stores
Air New England, Inc.	ALPA	—	—	TWU	ANEFA	—	IAM&AW	—	—
Allegheny Airlines, Inc.	ALPA	—	—	—	AFA	—	IAM&AW	—	IAM&AW
American Airlines, Inc.	APA	FEIA	—	TWU	APFA	TWU	TWU	—	TWU
Braniff International	ALPA	—	—	ADA	AFA	IBT	IAM&AW	IBT	IBT
Continental Airlines, Inc.	ALPA	ALPA	—	TWU	UFA, Loc. 1	—	IAM&AW	—	IAM&AW
Delta Air Lines, Inc.	ALPA	—	—	PAFCA	—	—	—	—	—
Eastern Air Lines, Inc.	ALPA	ALPA	—	IAM&AW	TWU	IAM&AW	IAM&AW	—	IAM&AW
Frontier Airlines, Inc.	ALPA	—	—	TWU	AFA	—	IAM&AW	ALEA	IAM&AW
Hughes Air West	ALPA	—	—	TWU	AFA	—	AMFA	ALEA	IAM&AW
National Airlines, Inc.	ALPA	FEIA	—	TWU	TWU	IBT	IAM&AW	ALEA	IAM&AW
North Central Airlines, Inc.	ALPA	—	—	TWU	ALPA	—	IAM&AW	ALEA	IAM&AW
Northwest Airlines, Inc.	ALPA	IAM&AW	TWU	TWU	IBT	TWU	IAM&AW	BRAC	IAM&AW
Ozark Air Lines, Inc.	ALPA	—	—	TWU	AFA	IBT	AMFA	IAM&AW	IBT
Pan American World Airways, Inc.	ALPA	FEIA	—	TWU	IUFA	—	TWU	IBT	IBT
Piedmont Aviation, Inc.	ALPA	—	—	TWU	AFA	—	IAM&AW	—	IAM&AW
Southern Airways, Inc.	ALPA	—	—	SADA	TWU	—	—	—	SASEA
Texas International Airlines, Inc.	ALPA	—	—	TWU	AFA	—	IAM&AW	ALEA	IAM&AW
Trans World Airlines, Inc.	ALPA	ALPA	—	TWU	IFFA	IAM&AW	IAM&AW	—	IAM&AW
United Air Lines, Inc.	ALPA	ALPA	TWU	IAM&AW	AFA	IAM&AW	IAM&AW	—	IAM&AW
Western Airlines, Inc.	ALPA	ALPA	—	TWU	ALPA	BRAC	IBT	BRAC	IBT

Table 7—Unions Associated With Rail and Air Carriers

Railroads	
ARSA	American Railway Supervisors Association
ATDA	American Train Dispatchers Association
BB	International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers
BLE	Brotherhood of Locomotive Engineers
BMW	Brotherhood of Maintenance of Way Employees
BRAC	Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees
BRCA	Brotherhood Railway Carmen of United States and Canada
BRS	Brotherhood of Railroad Signalmen
BSCP	Brotherhood of Sleeping Car Porters
FFRE	Florida Federation of Railroad Employees
HRE	Hotel & Restaurant Employees & Bartenders International Union
IAM&AW	International Association of Machinists & Aerospace Workers
IBEW	International Brotherhood of Electrical Workers
IBFO	International Brotherhood of Firemen and Oilers
IBT	International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America
ITDA	Illinois Train Dispatchers Association
LU	Local Union
MDFA	Mechanical Department Foremen's Association
MRSA	Milwaukee Road Supervisors 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
USWA	United Steelworkers of America
UTU	United Transportation Union
WRSA	Western Railway Supervisors Association

Table 7—Unions Associated With Rail and Air Carriers—(continued)

Airlines	
ADA	Air Transport Dispatchers Association
ANEAFA	Air New England Association of Flight Attendants
AFA	Association of Flight Attendants
ALEA	Air Line Employees Association
ALPA	Air Line Pilots Association
AMFA	Aircraft Mechanics Fraternal Association
APA	Allied Pilots Association
APFA	Association of Professional Flight Attendants
BRAC	Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express and Station Employees
FEIA	Flight Engineers International Association
IAM&AW	International Association of Machinists & Aerospace Workers
IBT	International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America
IFFA	Independent Federation of Flight Attendants
IUFA	Independent Union of Flight Attendants
LU	Local Union
PAFCA	Professional Airline Flight Control Association
SADA	Southern Airways Dispatchers Association
SASEA	Southern Airways Stores Employees Association
TWU	Transport Workers Union of America
UFA, Local 1	Union of Flight Attendants, Local 1
 Marine	
GLLO	Great Lakes Licensed Officers' Organization
IUP	Inlandboatmen's Union of the Pacific
MMP	International Organization of Masters, Mates, & Pilots
MEBA	National Marine Engineers' Beneficial Association
NMU	National Maritime Union of America
SIU	Seafarers International Union of North America
USWA	United Steelworkers of America

V. STRIKES: The Best Year Since 1949

As to the small percentage of strikes in the railroad and airline industries in fiscal year 1978, this was the best year since 1949. Only three strikes actually occurred—two in the railroads and one in the airlines. A fourth, a Wien Air Alaska strike, began in 1977 and still had not been settled at the end of this fiscal year.

Table 8 identifies the work stoppages. Strikes of less than 24 hours, or those involving only a few employees settled without Board intervention, are not included. A brief account of the strikes follows:

A-9862—Staten Island Rapid Transit Operating Authority and Railway Employees' Department (RED)

Despite intensive negotiations and round-the-clock mediation efforts by the NMB, four shop craft unions—Railway Carmen, Electrical Workers, Firemen and Oilers and Boilermakers—failed to reach contract agreement on certain issues and struck the carrier on April 3, 1978. The strike resulted primarily from a wage dispute involving hourly rates of pay dating back to 1974. The Staten Island line, though part of the national rail system, is only 14.5 miles long and owned by the City of New York. Following court action, the 50 RED employees returned to work

11 days later, on April 14, 1978. With the aid of the National Mediation Board, an agreement was reached on October 27, 1978, reflecting both base pay rate and cost of living increases.

A-10122—Northwest Airlines, Inc. and Air Line Pilots Association

What was to become the longest strike in the pilots' history with Northwest Airlines began on April 29, 1978, over rules, wages and working conditions. After 109 days and some 110 NMB-mediated negotiating sessions the strike ended on August 15, 1978, with the price of settlement high for both sides. Though certain contract issues such as seniority and the status of furloughed pilots had prolonged negotiations and the length of the work stoppage, it was a back-to-work agreement that stymied settlement in the strike's closing days. This particular issue was not resolved prior to reaching agreement. However, there were a number of provisions in the new contract beneficial to the 1,500 employees, including a substantial increase in wages and fringe benefits over a 3-year term and an increase in the pilots' minimum rest periods between flights.

Table 8—Strikes in the Railroad and Airline Industries, October 1, 1977 to September 30, 1978

Case No.	Carrier	Organization	Craft or Class	Date of Work Stoppage	Date Work Resumed	Number of Days	Issues	Number of Employees	Disposition
A-9862	Staten Island Rapid Transit Operating Authority	Railway Employees' Department	Electricians Carmen Firemen Boilermakers Blacksmiths	April 3, 1978	April 14, 1978	14	Wages	50	The employees returned to service prior to October 27, 1978, the date full and final agreement was reached
A-10122	Northwest Airlines, Inc.	Air Line Pilots Association	Pilots	April 29, 1978	August 15, 1978	109	Rules, Wages, and Working Conditions	1,500	Agreement Reached Through Mediation dated August 15, 1978
A-10154	Norfolk and Western Rwy. Company	Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees	Clerical Employees	July 10, 1978	Sept. 29, 1978	82	Work Rules and Job Protection	6,536	Executive Order 12085 dated September 28, 1978, creating Emergency Board No. 188
A-10046	Wien Air Alaska, Inc.	Air Line Pilots Association	Pilots	May 8, 1977	—	—	Third man on B-737 jet	135	Strike still in progress

A-10154—Norfolk and Western Railway Company and the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees

The contract dispute between BRAC and the carrier centered on various complex issues including the union's jurisdiction over certain workers and job protection as related to automation. After months of Board mediation assistance an impasse was reached in negotiations and, following a rejected proffer of arbitration and a 30-day status quo period, BRAC's 6,536 employees struck the carrier July 10. The Board continued to offer mediation aid and monitored the case closely as what began as a local dispute burgeoned into a national strike after a court order upheld the union's right to place pickets at other major railroads involved in a mutual aid arrangement including Norfolk and Western.

The President, after the two parties failed to

reach agreement following an around-the-clock, 24-hour mediation effort by former Labor Under Secretary James J. Reynolds, appointed Emergency Board No. 188 on September 28, 1978. As the fiscal year closed, the emergency board, chaired by Paul H. Hanlon of Portland, Oregon, with members Jerre S. Williams of Austin, Texas, and Jacob Seidenberg of Falls Church, Virginia, all well-known arbitrators, were meeting with the parties in Washington, D.C.

A-10046—Wien Air Alaska, Inc. and Air Line Pilots Association

The pilots struck this regional air carrier on May 8, 1977 in a contract dispute over rates of pay, rules, working conditions and the number of flight crew members required to operate Wien's Boeing 737 aircraft. During the work stoppage, which was still in progress at the end of fiscal year 1978, the carrier has operated with pilot supervisors replacing the 135 striking employees.

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 the thousands indicates the extent to which this provision of the Act has become effective in the railroad and airline industries.

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 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 each working agreement or the statements be filed with the Board.

Agreements Covering Rates of Pay, Rules and Working Conditions

Table 9 shows the number of labor agreements subdivided by class or carrier and type of labor organization which have been filed with the board

from 1935-1978. In this fiscal year, there were 2 initial agreements—both in the airline industry. A total of 7,829 agreements are on file in the Board's offices, of which 1,157 are with air carriers, as shown in Table 9.

These figures include numerous revisions and supplements to existing agreements previously filed with the Board.

Notices Regarding Contracts of Employment

The Act states in Section 2:

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, issued in 1934 by the Board, requires 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.

After the airlines were brought under the Act in 1936, the Board issued Order No. 2 directed to air carriers which had the same substantial effect as Order No. 1.

**Table 9—Number of Labor Agreements on File With the National Mediation Board
According to Type of Labor Organization and Class of Carrier,
October 1, 1977 to September 30, 1978**

Fiscal Year	All Carriers	Class I	Class II	Class III	Switching and Terminal	Electric	Express and Pullman	Miscellaneous Railroad Carriers	Air Carriers
Total:									
1978	7,829	4,265	1,125	—	957	177	18	130	1,157
1977	7,623	4,129	1,112	—	928	177	18	125	1,134
Transition Quarter	7,473	4,063	1,089	—	926	177	18	121	1,079
1976	7,458	4,053	1,089	—	926	177	18	121	1,074
1975	7,186	3,892	1,076	—	917	177	18	120	986
1974	6,961	3,820	1,050	—	874	177	18	119	903
1973	6,781	3,775	997	—	856	177	18	115	863
1972	6,592	3,674	911	—	834	177	18	115	833
1971	6,112	3,458	828	—	829	177	18	113	689
1970	5,704	3,333	803	—	814	176	18	108	452
1965	5,230	3,132	775	—	770	164	14	87	288
1960	5,218	3,131	772	—	766	164	14	87	284
1955	5,180	3,116	763	—	763	163	14	86	275

**Table 9—Number of Labor Agreements on File With the National Mediation Board
According to Type of Labor Organization and Class of Carrier,
October 1, 1977 to September 30, 1978—Continued**

Fiscal Year	All Carriers	Class I	Class II	Class III	Switching and Terminal	Electric	Express and Pullman	Miscellaneous Railroad Carriers	Air Carriers
1950	5,092	3,094	752	—	749	159	14	84	241
1945	4,665	2,913	735	—	705	150	13	56	98
1940	4,193	2,708	684	—	603	103	8	38	44
1935	3,021	2,335	347	—	334	—	6	—	—
National Organizations:									
1978	7,732	4,207	1,121	—	939	173	18	129	1,145
1977	7,526	4,071	1,108	—	910	173	18	125	1,122
Transition Quarter	7,376	4,005	1,085	—	908	173	18	120	1,067
1976	7,391	3,995	1,085	—	908	173	18	120	1,062
1975	7,089	3,834	1,072	—	899	173	18	119	974
1974	6,864	3,762	1,046	—	856	173	18	118	891
1973	6,684	3,697	993	—	838	173	18	114	851
1972	6,495	3,616	937	—	816	173	18	114	821
1971	6,015	3,400	824	—	811	173	18	112	677
1970	5,607	3,275	799	—	796	172	18	107	440
1965	5,135	3,076	771	—	752	160	14	86	276
1960	5,124	3,076	768	—	748	160	14	86	272
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	—	558	106	8	38	39
1935	2,940	2,254	347	—	334	—	6	—	—
Other Organizations:									
1978	97	58	4	—	18	4	—	1	12
1977	97	58	4	—	18	4	—	1	12
Transition Quarter	97	58	4	—	18	4	—	1	12
1976	97	58	4	—	18	4	—	1	12
1975	97	58	4	—	18	4	—	1	12
1974	97	58	4	—	18	4	—	1	12
1973	97	58	4	—	18	4	—	1	12
1972	97	58	4	—	18	4	—	1	12
1971	97	58	4	—	18	4	—	1	12
1970	97	58	4	—	18	4	—	1	12
1965	95	56	4	—	18	4	—	1	12
1960	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	—	—	—	—	—	—	—

VII. Interpretation and Application of Agreements and Arbitration of Minor Disputes (Grievances)

Agreements or contracts made in accordance with the Railway Labor Act governing rates of pay, rules, and working conditions are consummated through direct negotiations between carriers and representatives of their employees and by agreements reached through mediation 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, as described below.

Interpretation of Agreements Reached Through Mediation

Under section 5 of the Act, the National Mediation Board has the duty to interpret contested provisions of certain agreements reached through mediation. Requests for an interpretation may be made by either party to the agreement, or by both parties jointly. The law provides that interpretations shall be made by the Board within 30 days following a hearing, at which both parties may present and defend their respective position. This 30-day period is construed as advisory rather than mandatory.

In making such interpretations, the Board can consider only the meaning of the specific terms of an agreement settled by mediation. The Board does not attempt to interpret the application of the terms of an agreement to particular situations. This restriction in making interpretations under section 5 is necessary to prevent infringement on the duties and responsibilities of the National Railroad Adjustment Board under Title I of the Act and airline adjustment boards under Title II of the Act. These sections of the law make it the duty of adjustment boards to decide disputes arising out of employee grievances and interpretation and application of existing contracts.

In 1978, the Board disposed of one interpretation case pending from the previous year. Since the Board's inception, it has disposed of 142 interpretation cases under the Act's provisions as compared to a total of 6,732 agreements reached through mediation during the same period.

National Railroad Adjustment Board

The National Railroad Adjustment Board hears and decides disputes involving railway employee grievances and questions concerning the application and interpretation of agreement rules.

The Board is composed of four divisions on which the carriers and the organizations representing employees are equally represented. It is composed of 34 members, 17 representing the carriers and 17 representing labor organizations.

The first division is composed of eight members, four selected by carriers and four by labor.

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

The fourth division has six members, also equally divided. Adjustment Board headquarters is in Chicago. A report of the Board's operations is contained in Appendix A.

When the members of any of the four divisions of the Adjustment Board are unable to agree on an award on any dispute being considered, because of deadlock or inability to secure a majority vote, they are required under section 3 of the Act to attempt to agree on and select a neutral person to sit with the division as a member and make an award. Failing to agree upon a neutral person in 10 days, the Act provides that the National Mediation Board should select the neutral.

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 appointees to such positions must be wholly disinterested in the controversy, impartial, and without bias as between the parties in dispute.

Persons serving as referees on the four divisions of the Adjustment Board are shown in Appendix A. During its 44-year existence the Adjustment Board has disposed of 75,797 of the 77,202 cases received. Table 10 that follows shows that 952 cases were dis-

**Table 10—Cases Docketed and Disposed of by the National Railroad Adjustment Board,
October 1, 1977 to September 30, 1978**

All Divisions							
Cases	44 Year Period	1978	1977	Transition Quarter	1976	1975	1974
Open and on hand at beginning of period		1,443	1,485	1,476	1,392	1,517	2,078
New cases docketed	77,202	914	851	242	970	917	266
Total number of cases on hand and docketed . . .	77,202	2,357	2,336	1,718	2,362	2,434	2,844
Cases disposed of	75,797 ¹	952 ¹	893	233	886	1,033	1,322
Decided without referee	12,573	4	4	1	7	6	25
Decided with referee	37,639	886*	799	144	760	860	1,042
Withdrawn	25,591	63	91	89	127	167	255
Open cases on hand close of period	1,405	1,405	1,443	1,485	1,476	1,401	1,522
First Division							
Open and on hand at beginning of period		530	534	546	626	847	1,378
New cases docketed	43,102	67	47	9	90	97	20
Total number of cases on hand and docketed . . .	43,102	597	581	555	716	944	1,398
Cases disposed of	42,584	79*	51	21	170	318	546
Decided without referee	10,918	2	2	1	5	6	25
Decided with referee	12,214	74	47	10	100	259	303
Withdrawn	19,451	4	2	10	65	53	218
Open cases on hand close of period	518	518	530	534	546	626	852
Second Division							
Open and on hand at beginning of period		325	241	236	185	148	123
New cases docketed	7,908	385	310	68	244	193	195
Total number of cases on hand and docketed . . .	7,098	710	551	304	429	341	318
Cases disposed of	7,514	316	226	63	193	156	170
Decided without referee	734	0	0	0	2	0	0
Decided with referee	5,894	313	214	51	176	148	166
Withdrawn	886	3	12	12	15	8	4
Open cases on hand close of period	394	394	325	241	236	185	148
Third Division							
Open and on hand at beginning of period		532	636	644	498	461	500
New cases docketed	22,570	391	377	128	505	475	439
Total number of cases on hand and docketed . . .	22,570	923	1,013	772	1,003	936	938
Cases disposed of	22,111	464	481	136	359	438	477
Decided without referee	914	2	2	—	—	0	0
Decided with referee	16,973	416	421	73	830	372	454
Withdrawn	4,225	46	59	63	30	67	23
Open cases on hand close of period	459	459	532	636	644	498	461

**Table 10—Cases Docketed and Disposed of by the National Railroad Adjustment Board,
October 1, 1977 to September 30, 1978—Continued**

Cases	44 Year Period	1978	1977	Transition Quarter	1976	1975	1974
Fourth Division							
Open and on hand at beginning of period		56	74	450	83	61	89
New cases docketed	3,622	71	117	37	131	152	113
Total number of cases on hand and docketed ...	3,622	127	191	87	214	213	202
Cases disposed of	3,588	93	135	13	164	121	141
Decided without referee	0	0	0	0	0	0	0
Decided with referee	2,554	83	117	9	147	82	119
Withdrawn	1,034	10	18	4	17	39	22
Open cases on hand close of period	34	34	56	74	50	92	61

¹ Adjusted to reflect actual count.

* Includes one docket with two Awards-Docket 42,814

posed of in fiscal year 1978¹—886 by decision with referee, 4 by decision without referee and 63 by withdrawal. In fiscal year 1978, 914 new cases were received as compared to 851 for fiscal year 1977.

Airline System Boards of Adjustment

There is no national adjustment board for settlement of airline grievances. The Act provides for establishment of such a board if necessary in the judgment of the National Mediation Board. The Board, to date, has not deemed a national board necessary.

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 on a neutral to serve as referee, the National Mediation Board is frequently called on to name neutrals. They serve without cost to the Government. 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 persons designated by the Board to serve as referees with system boards of adjustment is shown in table 5, Appendix B.

¹This figure includes second award rendered on one case decided by referee on First Division.

Special Boards of Adjustment—Railroads

Special boards of adjustment are set up by agreement on an individual railroad and with a single labor organization to 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 but, in these instances, the parties by agreement adopt the special board procedure to insure prompt disposition of disputes.

The board of adjustment procedure began in the late 1940s at the suggestion of the National Mediation Board to expedite disposition of disputes through an adaptation of the grievance function of the divisions of the NRAB, and as a means of reducing the backlog of cases pending before the four divisions.

Special boards usually consist of three members—a railroad member, an organization member and a neutral chairman. The National Mediation Board designates the neutral if the parties fail to agree on a neutral.

There were 14 new special boards of adjustment in 1978. A total of 28 boards convened. These boards had disposed of 4,278 cases, including 3,569 disposed of by one Special Board, as of September 30, 1978. This figure compares with 861 cases disposed of during fiscal year 1977.

Inquiries and correspondence in regard to special boards of adjustment should be addressed to Staff Director/Grievances, National Railroad Adjustment Board, 220 South State Street, Chicago, Ill. 60604.

Public Law Boards

In 1966, the President approved Public Law 89-456, which amended certain provisions of the Railway Labor Act.

The amendment authorizes establishment of special boards of adjustment on individual railroads on 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 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.

The Board anticipates that PL boards will eventually supplant special boards of adjustment, utilized by many representatives of carriers and employees over the past 26 years, and also reduce the caseload of various divisions of the 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 ap-

pointed to dispose of procedural issues which arise as to the establishment of the board itself.

In fiscal year 1978, 223 public law boards were established. Thirteen involved procedural issues and 210 merit issues. During the year, 324 boards were convened—13 involved procedural issues and 311 dealt solely with the merits of specific grievances. Public law boards disposed of (decided and/or withdrawn) 3,401 cases in fiscal year 1978. Thirteen covered procedural and 3,388 merit issues.

Amtrak Rail Worker Protection Plan

An arrangement to protect the rights of workers adversely affected by curtailment of intercity passenger rail service, which went into effect in 1971, was designed to protect the interests of employees displaced or dismissed as a result of the new route system created by the National Railroad Passenger Corp. (Amtrak).

Under the Rail Passenger Service Act of 1970, which established Railpax, workers adversely affected by discontinuation of intercity passenger rail service receive a measure of protection.

These workers are considered for other employment by the individual railroads on the basis of establishing seniority rules. Because of the cutback in passenger service, some workers could be displaced into lower-paying jobs or released. The plan is designed to provide protection for displaced and dismissed employees for up to 6 years.

The plan further provides for prompt arbitration of disputes over whether an employee is adversely affected by train discontinuances.

A list of neutral referees designated by the National Mediation Board pursuant to provisions of the Railroad Passenger Service Act are contained in Appendix B, table 6.

VIII. Organization and Finances of the National Mediation Board

Located at 1425 K Street, NW., Washington, D.C. Mailing Address: National Mediation Board, Washington, D.C. 20572

Organization

The National Mediation Board is comprised 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. A 1964 amendment to the Act 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 a member to serve as chairman. Not more than two members may be of the same political party. In addition to its office staff, the Board has a staff of mediators who spend virtually their entire time in field duty.

Subject to the Board's direction, administration of affairs is in charge of the executive secretary. While some mediation conferences are held in Washington, most are performed in the field at the location of the disputes. Services of the Board consist of mediating disputes between the carriers and the representatives of their employees over changes in rates of pay, rules, and working conditions. These services also include the investigation of representation disputes among employees and the determination of such disputes by 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 in connection with representation disputes to determine employees eligible to participate in elections and other issues which arise in its investigation of such disputes. It also conducts hearings on the interpretation of mediation agreements and appoints neutral referees and arbitrators as required.

The Staff of mediators, all of whom were selected through civil service, follows:

Charles R. Barnes	Robert J. Cerjan
Harry D. Bickford	Samuel J. Cognata
Charles H. Callahan	Ralph T. Colliander
Jack W. Cassle	Francis J. Dooley

Robert J. Finnegan
Thomas B. Ingles
Thomas C. Kinsella
Robert B. Martin
Maurice A. Parker
Charles A. Peacock

Walter L. Phipps
William H. Pierce
Thomas H. Roadley
Alfred H. Smith
Joseph W. Smith
John B. Willits

Financial Statement for the Annual Report for Fiscal Year 1978

For the fiscal year 1978, the Congress appropriated \$3,913,000.

Obligations and expenses incurred for the various activities of the Board follow:

	1978
Mediation	\$1,925,788
Voluntary arbitration and emergency disputes	18,900
Adjustment of railroad grievances	1,775,963

Accounting of all moneys appropriated by Congress for the fiscal year 1978, pursuant to the authority conferred by the Railway Labor Act approved May 20, 1926 (amended June 21, 1934):

	1978 actual
Expenses and obligations:	
Personnel compensation	\$2,679,000
Personnel benefits	200,000
Travel and transportation of persons	314,000
Standard level user charges	237,000
Other rent, communications, and utilities	\$117,000
Printing and reproduction	52,000
Other services	69,000
Supplies and materials	23,000
Equipment	30,000
Unobligated balance, lapsing	192,000
Budget authority	\$3,913,000

Appendix A

National Railroad Adjustment Board (Created June 21, 1934)

Fletcher, J. C., *Chairman*

Mason, J. E., *Vice Chairman*

Carvatta, R. J., *Staff Director/Grievances*

Paulos, A. W., *Executive Secretary*

Accounting for all moneys appropriated by Congress for the Fiscal year 1978, pursuant to the authority conferred by the Railway Labor Act, as amended (Public Law 442, 73rd Congress—approved June 21, 1934).

Financial Statement National Railroad Adjustment Board for Fiscal Year 1978

Board's portions of Salaries and Expenses, National Mediation Board	\$851,200.00
Transferred from PLB's and SBA's	36,000.00
Supplemental Appropriation	47,800.00
	\$935,000.00
Expenditure:	
Salaries of employees	352,825.00
Salaries of referees	295,400.00
Personnel benefits	48,088.00
Travel expenses (including referees)	41,964.00
Transportation of things	23.00
Communication services	33,605.00
Standard level user charges	131,053.00
Printing and reproduction	7,267.00
Other contractual services	15,370.00
Supplies and materials	5,730.00
Total expenditures	\$931,325.00
Unexpended balance	\$3,675.00

Organization National Railroad Adjustment Board Government Employees, Salaries, and Duties

Name	Title	Salary Paid	Duties
Administration			
Carvatta, Roy J.	Administrative Officer	\$40,134.40	Subject to direction of National Mediation Board, administers N.R.A.B. Governmental affairs. Accounting and auditing Assists in accounting and auditing Clerical and typing Clerical
Swanson, Ronald A.	Asst. Adm. Off.	20,036.00	
Tuttle, George J.	Clerical Asst.	14,375.20	
Szewczyk, Bernice E.	Clerk-typist	12,921.20	
Lauraitis, John J.	Clerk	11,550.40	
Divisional			
Paulos, Angelo W.	Executive Secretary	19,921.60	Executive Secretary for all four divisions—fully responsible for Third Division Assists Executive Secretary—responsible for First and Fourth Divisions Assists Executive Secretary—responsible for Second Division Assists Executive Secretary on Third Division
Dever, Nancy J.	Assistant Executive Secretary	17,181.60	
Brasch, Rosemarie	Administrative Assistant	15,358.88	
Czerwonka, Veronica C.	Administrative Assistant	13,295.20	

Organization National Railroad Adjustment Board Government Employees, Salaries, and Duties — Continued

Name	Title	Salary Paid	Duties
Hampton, Lorraine	Clerk-typist	3,028.48	Clerical for Second Division
Jaeger, Rosemary E.	Clerk-typist	11,612.40	Clerical for Third Division
Javoric, Mary A.	Clerk-typist	10,817.60	Clerical for First and Fourth Divisions
Shroka, Hazel R.	Clerk-typist	10,148.80	Clerical for Third Division
Secretarial			
Bartl, Annette P.	Clerk-steno	\$ 4,729.64	Secretarial, stenographic and clerical
Collins, Barbara E.	do	1,506.37	do
Elwood, Addie V.	do	10,898.00	do
Glassman, Sarah	do	12,921.20	do
Hudson, Lucile B.	do	12,921.20	do
Johnson, Besse O.	do	11,640.76	do
Kittrell, Diana P.	do	7,103.93	do
Krozel, Helen B.	do	10,148.80	do
LaChance, Kathleen V.	do	12,921.20	do
Loughrin, Catherine A.	do	12,921.20	do
Smith, Joan M.	do	12,921.20	do
Snyder, Florence	do	3,046.44	do
Stanger, Dianne M.	do	12,921.20	do
Sullivan, Josephine A.	do	12,921.20	do
Vorphal, Joan A.	do	12,921.20	do
Referees			
First Division			
O'Brien, Robert M.		\$12,950.00	Sat with division as a member to make awards upon failure of division to agree or secure majority vote
Zumas, Nicholas H.		3,675.00	"
Second Division			
Eischen, Dana E.		12,075.00	"
Franden, Robert A.		15,837.50	"
Lieberman, Irwin M.		525.00	"
Marx, Herbert L., Jr.		13,300.00	"
McBrearty, James C.		4,550.00	"
O'Brien, Theodore H.		9,450.00	"
Roukis, George S.		525.00	"
Scearce, James F.		6,300.00	"
Sickles, Joseph A.		175.00	"
Twomey, David P.		4,725.00	"
Van Wart, Arthur T.		1,225.00	"
Valtin, Rolf		5,250.00	"
Wallace, Walter C.		11,900.00	"
Williams, Robert G.		6,868.75	"
Weiss, Abraham		3,752.48	"
Yarborough, Ralph W.		1,949.96	"
Zumas, Nicholas H.		1,575.00	"

**Organization National Railroad Adjustment Board Government Employees,
Salaries, and Duties—Continued**

Name	Title	Salary Paid	Duties
Referees			
Third Division			
Ables, Robert J.		\$ 1,575.00	Sat with division as a member to make awards upon failure of division to agree or secure majority vote
Bailer, Lloyd H.		175.00	"
Caples, William G.		875.00	"
Eischen, Dana E.		12,775.00	"
Franden, Robert A.		6,037.50	"
Hamilton, Donald E.		9,625.00	"
Lieberman, Irwin M.		10,675.00	"
Marx, Herbert L. Jr.		14,000.00	"
Mead, John P.		5,206.25	"
McBrearty, James C.		700.00	"
O'Brien, Robert M.		1,925.00	"
Roukis, George S.		12,425.00	"
Scearce, James F.		11,900.00	"
Sickles, Joseph A.		15,750.00	"
Smedley, Robert W.		4,637.50	"
Twomey, David P.		7,000.00	"
Valtin, Rolf		1,225.00	"
Wallace, Walter C.		525.00	"
Weiss, Abraham		1,603.26	"
Yagoda, Louis		4,987.50	"
Zumas, Nicholas H.		1,925.00	"
Fourth Division			
Eischen, Dana E.		2,625.00	"
Lieberman, Irwin M.		1,400.00	"
Marx, Herbert L. Jr.		4,375.00	"
Mesigh, Herbert J.		1,400.00	"
O'Brien, Theodore H.		6,825.00	"
Scearce, James F.		1,925.00	"
Twomey, David P.		7,000.00	"
Ward, John J.		3,062.50	"

First Division—National Railroad

Adjustment Board

220 South State Street, Chicago, Illinois 60604

Organization of the Division, Fiscal Year 1977-1978

Q. C. Gabriel, *Chairman*

W. B. Jones, *Vice Chairman*¹

W. F. Euker, *Vice Chairman*²

A. D. Dula

M. F. Fitzpatrick

J. R. Lange

G. W. Legge³

J. D. Sims

F. P. Riordan

A. W. Paulos

Executive Secretary

JURISDICTION

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

OPERATIONS

The tables attached set out results of operation of the Division during fiscal year 1977-1978.

¹Retired, April, 1978.

²Replaced Mr. Jones as Vice Chairman.

³Deceased.

Table 1—Cases Docketed Fiscal Year 1977-1978; Classified according to Carrier Party to Submission

NAME OF CARRIER	NUMBER OF CASES DOCKETED
Bessemer and Lake Erie	1
Burlington Northern, Inc.	1
Chicago and North Western	9
Chicago, Milwaukee, St. Paul and Pacific	1
Consolidated Rail	1
Florida East Coast	1
Georgia	2
Grand Trunk Western	7
Long Island	1
Louisville and Nashville	1
Missouri-Kansas-Texas	4
Penn Central	1

Seaboard Coast Line	31
St. Louis-San Francisco	3
Soo Line	1
Southern	1
Southern Pacific-T&L	1
Total	67

Table 2—Cases Docketed Fiscal Year 1977-1978; Classified according to Organization Party to Submission.

NAME OF ORGANIZATION	NUMBER OF CASES DOCKETED
United Transportation Union	0
Engineers	55
Federated Employees Council	1
Individual	11
Total	67

Second Division—National Railroad Adjustment Board

220 South State Street, Chicago, Illinois 60604

MEMBERSHIP

C. E. Wheeler, <i>Chairman</i>	C. H. Herrington
M. J. Cullen	R. C. Kniewel
G. R. DeHague	P. E. La Cosse*
D. A. Hampton	W. F. Snell
J. G. Hayes	B. K. Tucker

A. W. Paulos, *Executive Secretary*

*P. E. LaCosse replaced Mr. Jones 7/18/78.

JURISDICTION

SECOND DIVISION: To have jurisdiction over disputes involving machinists, boilermakers, blacksmiths, sheet metal workers, electrical workers, carmen, the helpers and apprentices of all of the foregoing, coach cleaners, powerhouse employees, and railroad shop laborers.

Organizations, Etc., Party to Cases Docketed	
Brotherhood Railway Carmen of the United States and Canada	184
International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers	17
International Brotherhood of Electrical Workers	71
International Association of Machinists	48
International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers	38
Sheet Metal Workers' International Association	20
United Steel Workers of America	2
Individually Submitted Cases, etc.	5
Total	385

Carriers Party to Cases Docketed

Alton & Southern Rwy. Co.	5
Atchison, Topeka & Santa Fe Rwy. Co.	6
Baltimore & Ohio Railroad Co.	6
Belt Rwy. Co. of Chicago	2
Burlington Northern Inc.	32
Chesapeake & Ohio Rwy. Co.	12
Chicago & Eastern Illinois Rwy. Co.	2
Chicago & North Western Transportation Co.	27
Chicago, Milwaukee, St. Paul & Pacific RR Co.	8
Chicago, Rock Island & Pacific RR Co.	8
Consolidated Rail Corporation	32
Denver & Rio Grande Western RR Co.	1
Detroit & Toledo Shore Line RR Co.	1
Elgin, Joliet & Eastern Rwy. Co.	12
Grand Trunk Western Rwy. Co.	4
Houston Belt & Terminal Rwy. Co.	6
Illinois Central Gulf RR Co.	19
Indiana Harbor Belt RR Co.	1
Lake Terminal RR Co.	2
Louisville & Nashville RR Co.	22
Maine Central RR Co.	1
Milwaukee-Kansas City Southern Joint Agency	1
Missouri-Kansas-Texas RR Co.	2
Missouri Pacific RR Co.	49
National Railroad Passenger Corp.	7
New Orleans Public Belt RR Co.	1
Norfolk & Western Rwy. Co.	18
Pacific Fruit Express Co.	5
Port Authority Trans Hudson Corp.	1
Richmond, Fredericksburg & Potomac Rwy. Co.	2
St. Louis-San Francisco Rwy. Co.	20
St. Louis Southwestern Rwy. Co.	1
Seaboard Coast Line RR Co.	28
Soo Line RR Co.	4
Southern Pacific Transportation Co.	16
Southern Railway Co.	7
Staten Island Rapid Transit Operating Authority	1
Terminal RR Association of St. Louis	1
Texas & Pacific Rwy. Co.	2
Union Pacific RR Co.	2
Washington Terminal Co.	5
Western Pacific RR Co.	3
Total	385

Third Division—National Railroad Adjustment Board

220 South State Street, Chicago, Illinois 60604

H. G. Harper, <i>Chairman</i>	J. C. Fletcher
J. E. Mason, <i>Vice Chairman</i>	J. S. Godfrey
W. W. Altus, Jr.	**J. W. Gohmann
P. C. Carter	***V. W. Merritt
*J. D. Crawford	R. G. Richter
J. P. Erickson	R. W. Smith

A. W. Paulos, *Executive Secretary*

*J. D. Crawford replaced P. C. Carter on 3-1-78

**J. W. Gohmann replaced V. W. Merritt on 11-7-77

***V. W. Merritt replaced R. G. Richter on 11-7-77

JURISDICTION

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

Carriers Party to Cases Docketed

Alton and Southern Railway Co.	2
Atchison, Topeka & Santa Fe Ry. Co.	7
Atlanta & Saint Andrews Bay Ry. Co.	1
Atlanta & West Point, Western Ry. of Alabama, Georgia Railroad	8
Baltimore and Ohio Chicago Terminal RR Co.	3
Baltimore and Ohio Railroad Co.	28
Bangor and Aroostook RR Company	2
Belt Railway Company of Chicago	2
Bessemer and Lake Erie Railroad Co.	2
Burlington Northern Inc.	18
Butte, Anaconda and Pacific Ry. Co.	1
Central Vermont Railway, Inc.	1
Chesapeake and Ohio Railway Co.	14
Chicago & North Western Transportation Co.	12
Chicago, Milwaukee, St. Paul & Pacific RR Co.	22
Chicago, Rock Island & Pacific RR Co.	6
Chicago Short Line Railway Co.	1
Chicago, South Shore & South Bend RR	1
Colorado and Wyoming Railway Co.	1
Consolidated Rail Corporation	14
Delaware and Hudson Railway Co.	2
Denver and Rio Grande Western RR Co.	9
Detroit & Toledo Shore Line RR Co.	2
Duluth, Missabe & Iron Range Ry. Co.	2

Carriers Party to Cases Docketed—Continued

Elgin, Joliet & Eastern Railway Co.	8
Florida East Coast Railway Co.	1
Fort Worth and Denver Railway Co.	3
Grand Trunk Western Railroad Co.	2
Illinois Central Gulf Railroad	19
Illinois Terminal Railroad Co.	2
Indiana Harbor Belt Railroad Co.	1
Kansas City Southern Railway Co.	1
Kentucky & Indiana Terminal RR Co.	1
Lake Terminal Railroad Co.	1
Long Island Rail Road Company	2
Louisville & Nashville Railroad Co.	18
Missouri-Kansas-Texas RR Co.	1
Missouri Pacific Railroad Co.	29
National RR Passenger Corp.	3
New Orleans Public Belt Railroad	5
Norfolk and Western Railway Co.	11
Norfolk, Franklin & Danville Ry. Co.	1
Northwestern Pacific Railroad Co.	1
Pittsburgh, Chartiers & Youghiogheny Ry. Co.	1
Port Terminal Railroad Association	2
Railroad Perishable Inspection Agency	1
Richmond, Fredericksburg & Potomac RR Co.	1
St. Louis-San Francisco Ry. Co.	38
San Diego & Arizona Eastern Ry. Co.	1
Seaboard Coast Line Railroad Co.	12
Soo Line Railroad Company	6
Southeastern Demurrage & Storage Bureau	6
Southern Pacific Transportation Co. (Pacific Lines)	16
Southern Pacific Transportation Co. (Texas & Louisiana)	2
Southern Railway System	7
Terminal RR Ass'n. of St. Louis	6
Toledo, Peoria & Western RR Co.	1
Toledo Terminal Railroad Company	1
Union Pacific Railroad Company	5
Washington Terminal Company	2
Western Fruit Express Company	1
Western Maryland Railway Company	1
Western Pacific Railroad Company	9
Western Railroad Association	1
TOTAL	391

Organizations Party to Cases Docketed

American Train Dispatchers Association	18
Brotherhood of Maintenance of Way Employes	133
Brotherhood of Railroad Signalmen	68

Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees	137
TOTAL	356
Miscellaneous Class of Employees	35
TOTAL	391

Fourth Division—National Railroad Adjustment Board

220 South State Street, Chicago, Illinois 60604

D. E. Watkins, *Chairman*

W. F. Euker, *Vice Chairman*

A. W. Paulos, *Executive Secretary*

H. E. Crow¹

W. M. Cunningham²

J. W. Gohmann³

G. H. Vernon⁴

F. Ferlin

R. F. O'Leary

D. E. Watkins

¹B. K. Tucker, substitute for Mr. Crow

²W. F. Euker, substitute for Mr. Cunningham

³Reassigned

⁴Replaced Mr. Gohmann

JURISDICTION

"Fourth Division: To have jurisdiction over disputes involving employees of carrier 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 division. This Division shall consist of six members, three of whom shall be selected by the carriers and three by the national labor organizations of the employees." (Paragraph (h), Section 3, First, Railway Labor Act, 1934).

CLASSES OF DISPUTES TO BE HANDLED

"The disputes between an employee or group of employees and a carrier or carriers growing out of grievances or out of the interpretation or application of agreements concerning rates of pay, rules, or working conditions, including cases pending and unadjusted on the date of approval of this Act, shall be handled in the usual manner up to and including the chief operating officer of the carrier designated to handle such disputes; but, failing to reach an adjustment in this manner, the disputes may be referred by petition of the parties or by either party to the appropriate division of the Adjustment Board with full statement of facts and all supporting data bearing upon the disputes." (Paragraph (i), Section 3, First, Railway Labor Act, 1934).

Carriers Party to Cases Docketed

	Number of Cases
Alton and Southern	2
Baltimore and Ohio	2
Baltimore and Ohio Chicago Terminal	2

Carriers Party to Cases Docketed — Continued

	Number of Cases
Boston and Maine	1
Burlington Northern	2
Chicago and North Western	4
Chicago, Rock Island and Pacific	1
Consolidated Rail	28
Delaware and Hudson	1
Duluth, Missabe and Iron Range	1
Florida East Coast	2
Grand Trunk Western	1
Houston Belt and Terminal	2
Illinois Central	2
Long Island	2
Missouri Pacific	2
Mutual Beneficial Association (Conrail)	1
National Railroad Passenger Association	3
Norfolk and Western	3
North Carolina States Ports Authority	1
South Buffalo	1
Southern Pacific Transportation Co.	4

Southern Pacific-T&L	2
Straits Car Ferry	1
Terminal Railroad Association of St. Louis	2
Total	71

Organizations—Employees Party to Cases Docketed

	Number of Cases
American Railway Supervisors Association	30
BRAC (RP&SOS)	10
International Longshoremen's Association	1
National Railroad Passenger Association Police	1
Police Benevolent Association	1
Railway Employees' Department	3
Railroad Yardmasters of America	20
Seafarers International Union	1
Western Railway Supervisors Association	4
Total	71

Appendix B

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1978

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Warren S. Lane 4	Lakeland, FL	September 25, 1978	700	Seaboard Coast Line RR. Co. & United Transportation Union (C)
Nicholas H. Zumas 4	Washington, DC	May 24, 1978	703	Seaboard Coast Line RR. Co. & United Transportation Union (T)
Arthur T. Van Wart 2	Wilmington, DE	May 22, 1978	1001	Norfolk & Western Rwy. Co. & United Transportation Union
Arthur T. Van Wart 3	Wilmington, DE	June 26, 1978	1423	Chicago, Rock Island & Pacific RR. Co. & United Transportation Union (E)
John B. Criswell 3	Stigler, OK	January 9, 1978	1650	Houston Belt & Terminal Rwy. Co. & Allied Services Division—Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees
Jacob Seidenberg 1	Falls Church, VA	September 18, 1978	1742	Chicago & Illinois Midland Rwy. Co. & United Transportation Union (E)
Louis Yagoda 3	New Rochelle, NY	February 23, 1978	1829	Monongahela Connecting RR. Co. & United Transportation Union
Arthur T. Van Wart 2	Atlanta, GA	January 23, 1978	1838	Norfolk & Western Rwy. Co. & Brotherhood of Maintenance of Way Employees
Arthur T. Van Wart 2	Wilmington, DE	May 3, 1978	1847	Longview Switching Co. & United Transportation Union
Theodore H. O'Brien 3	Boston, MA	September 11, 1978	1849	Canadian Pacific Limited (Rail) & United Transportation Union
Jacob Seidenberg 3	Falls Church, VA	February 21, 1978	1855	The Cuyahoga Valley Rwy. Co. & United Transportation Union (T)
David H. Brown 2	Sherman, TX	May 2, 1978	1887	Philadelphia, Bethlehem & New England RR. Co. & United Transportation Union (T)
Louis Yagoda 2	New Rochelle, NY	March 1, 1978	1912	Aliquippa & Southern RR. Co. & The Railroad Division of the Transport Workers Union of America AFL-CIO
Nicholas H. Zumas 2	Washington, DC	May 3, 1978	1917	Seaboard Coast Line RR. Co. & United Transportation Union (T)
Arthur T. Van Wart 2	Wilmington, DE	October 19, 1977	1937	Indiana Harbor Belt RR. Co. & United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	April 17, 1978	1942	Denver & Rio Grande Western RR. Co. & United Transportation Union (S)
David H. Brown 2	Sherman, TX	May 2, 1978	1947	Steelton & Highspire RR. Co. & United Transportation Union (E)
Arthur T. Van Wart 2	Wilmington, DE	September 11, 1978	1955	Minneapolis Industrial RR. Co. (Chicago & North Western Transportation Co.) & United Transportation Union
Gene T. Ritter 3	Ardmore, OK	September 11, 1978	1956	Fort Worth & Denver Rwy. Co. & United Transportation Union
Preston J. Moore 2	Oklahoma City, OK	November 28, 1977	1985	Missouri Pacific RR. Co. & Brotherhood of Locomotive Engineers
Leverett Edwards 2	Fort Worth, TX	July 5, 1978	1986	San Manuel Arizona RR. Co. & United Transportation Union
Harold M. Weston 2	New York, NY	October 12, 1977	1987	Missouri-Kansas-Texas RR. Co. & United Transportation Union (T-C)
Arthur T. Van Wart 2	Atlanta, GA	February 7, 1978	2004	Central of Georgia RR. Co. & Brotherhood of Railroad Signalmen
Paul C. Dugan 2	Kansas City, MO	October 26, 1977	2011	Chicago & Illinois Midland RR. Co. & Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees
A. Thomas Van Wart 2	Salem, NJ	April 25, 1978	2013	Toledo, Peoria & Western RR. Co. & United Transportation Union
Harold M. Weston 3	New York, NY	December 7, 1977	2017	The Atchison, Topeka & Santa Fe Rwy. Co. (Coast Lines) & Brotherhood of Locomotive Engineers
Tedford E. Schoonover 2	Colorado Springs, CO	October 28, 1977	2018	The Denver & Rio Grande Western RR. Co. & Brotherhood of Railroad Signalmen
Arthur T. Van Wart 2	Atlanta, GA	March 16, 1978	2020	Maine Central RR. Co.—Portland Terminal Co. & United Transportation Union (E)
Gene T. Ritter 2	Ardmore, OK	November 8, 1977	2021	Louisville & Nashville RR. Co. & United Transportation Union
John B. Criswell 2	Stigler, OK	January 23, 1978	2022	Soo Line RR. Co. & United Transportation Union (T-C)
Arthur T. Van Wart 2	Atlanta, GA	October 1, 1977	2030	The Atchison, Topeka & Santa Fe Rwy. Co. & United Transportation Union (C-T-Y)
Theodore H. O'Brien, Jr. 2	Boston, MA	October 26, 1977	2031	The Atchison, Topeka & Santa Fe Rwy. Co. & United Transportation Union (C-T-Y)
Arthur T. Van Wart 2	Atlanta, GA	October 5, 1977	2032	Former Reading Co. & Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Atlanta, GA	October 5, 1977	2033	Consolidated Rail Corp. & Brotherhood of Locomotive Engineers
John J. Ward 2	Nashua, NH	October 7, 1977	2034	Port Authority Trans-Hudson Corp. & American Train Dispatchers Association
Jacob Seidenberg 2	Falls Church, VA	October 26, 1977	2035	Former Penn Central Transportation Co.—Former Lehigh Valley RR. Co.—Former Pennsylvania-Reading Seashore Lines & Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees
Gene T. Ritter 2	Ardmore, OK	October 12, 1977	2036	The Alton & Southern Rwy. Co. & Brotherhood Railway Car-men of the United States & Canada
Jacob Seidenberg 2	Falls Church, VA	October 26, 1977	2037	Consolidated Rail Corp. & Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees
Harold M. Weston 2	New York, NY	November 15, 1977	2038	The Ogden Union Rwy. & Depot Co. & Brotherhood of Locomotive Engineers

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1978—(Continued)

Name	Residence	Date of Appointment	Public Law Board No.	Parties
William M. Edgett 2 Frederick R. Blackwell 1	Ellicott City, MD Gaithersburg, MD	October 12, 1977 May 8, 1978	2039 2040	Norfolk & Western Rwy. Co. & United Transportation Union Penn Truck Lines Inc.—Consolidated Rail Corp. & International Brotherhood Teamsters, Chauffeurs, Warehousemen & Helpers Title V
H. Raymond Cluster 2	North Truro, MA	October 13, 1977	2041	Missouri-Kansas-Texas RR. Co. & United Transportation Union (C)
William M. Edgett 2	Ellicott City, MD	October 17, 1977	2042	The Chesapeake & Ohio Rwy. Co. & Brotherhood of Railroad Signalmen
David Dolnick 2	Chicago, IL	October 28, 1977	2043	Indiana Harbor Belt RR. Co. & Brotherhood of Locomotive Engineers
Preston J. Moore 1	Oklahoma City, OK	November 14, 1977	2044	Southern Rwy System—The Cincinnati, New Orleans & Texas Pacific Rwy. Co.—The Alabama Great Southern RR. Co.—The New Orleans Terminal Co.—Georgia Southern & Florida Rwy. Co.—St. Johns River Terminal Co. & Brotherhood of Railroad Signalmen
Arthur T. Van Wart 2	Atlanta, GA	February 7, 1978	2044	Southern Railway System—The Cincinnati, New Orleans and Texas Pacific Rwy. Co.—The Alabama Great Southern RR. Co.—The New Orleans Terminal Co.—Georgia Southern and Florida Rwy. Co.—St. Johns River Terminal Co. and Brotherhood of Railroad Signalmen
Leverett Edwards 2	Fort Worth, TX	October 26, 1977	2045	The Alton and Southern Rwy. Co. and United Transportation Union (T)
Harold M. Weston 2	New York, NY	November 28, 1977	2046	Terminal Railroad Association of St. Louis and Railroad Yardmasters of America
Nicholas H. Zumas 2	Washington, DC	October 31, 1977	2047	Southern Pacific Transportation Co. (Pacific Lines) and International Brotherhood of Electrical Workers
Jacob Seidenberg 2	Falls Church, VA	October 28, 1977	2048	Southern Pacific Transportation Co. (Pacific Lines) (Former Pacific Electric Rwy. Co.) and Brotherhood of Locomotive Engineers
Leverett Edwards 1	Fort Worth, TX	October 31, 1977	2049	Fort Worth and Denver Rwy. Co. and United Transportation Union (C-T-S)
Joseph A. Sickles 2	Rockville, MD	November 1, 1977	2050	Norfolk and Western Rwy. Co. and United Transportation Union (C-E-T)
Jacob Seidenberg 2	Falls Church, VA	November 28, 1977	2051	Illinois Central Gulf RR. and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	November 3, 1977	2052	Norfolk and Western Rwy. Co. and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Atlanta, GA	February 14, 1978	2053	The Denver and Rio Grande Western RR. Co. and United Transportation Union (E)
Leverett Edwards 2	Fort Worth, TX	April 25, 1978	2054	Southern Pacific Transportation Co.—Texas and Louisiana Lines and United Transportation Union (E)
Joseph A. Sickles 2	Rockville, MD	November 7, 1977	2055	Norfolk and Western Rwy. Co. and Railroad Yardmasters of America
Leverett Edwards 2	Fort Worth, TX	November 7, 1977	2056	Norfolk and Western Rwy. Co. and United Transportation Union (E)
Irving T. Bergman 2	Mineola, NY	November 7, 1977	2057	Norfolk and Western Rwy. Co. and United Transportation Union (T)
Preston J. Moore 2	Oklahoma City, OK	December 20, 1977	2058	Union Pacific RR. Co. and United Transportation Union (C-T)
Arthur T. Van Wart 2	Atlanta, GA	November 7, 1977	2059	Baltimore and Ohio RR. Co. and Railroad Yardmasters of America
Dana E. Eischen 2	Ithaca, NY	December 1, 1977	2060	Louisville and Nashville RR. Co. and Railroad Yardmasters of America
Arthur T. Van Wart 2	Atlanta, GA	November 7, 1977	2061	The Chesapeake and Ohio Rwy. Co. and Railroad Yardmasters of America
Arthur T. Van Wart 2	Atlanta, GA	January 30, 1978	2063	The Denver and Rio Grande Western RR. Co. and United Transportation Union (C-T)
Jacob Seidenberg 1	Falls Church, VA	December 27, 1977	2064	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Irwin M. Lieberman 2	Stamford, CT	November 23, 1977	2065	Union Pacific RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes
James F. Searce 2	McLean, VA	November 23, 1977	2066	Union RR. Co. and United Steelworkers of America (AFL-CIO), Local 1913
Arthur T. Van Wart 2	Atlanta, GA	November 23, 1977	2067	Consolidated Rail Corp. and United Transportation Union
Robert J. Ables 1	Washington, DC	November 29, 1977	2068	Boston and Maine Corp. and United Transportation Union (T)
Arthur T. Van Wart 2	Atlanta, GA	September 11, 1978	2068	Boston and Maine Corp. and United Transportation Union (T)
Joseph A. Sickles 2	Rockville, MD	November 23, 1977	2069	The Pittsburgh and Lake Erie RR. Co. and The Lake Erie and Eastern RR. Co. and Railroad Yardmasters of America
David Dolnick 2	Chicago, IL	November 28, 1977	2070	Louisville and Nashville RR. Co. and Brotherhood of Railroad Signalmen
William M. Edgett 2	Ellicott City, MD	November 28, 1977	2071	Burlington Northern Inc. and United Transportation Union

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1978—(Continued)

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Preston J. Moore 2	Oklahoma City, OK	November 30, 1977	2072	New Orleans Public Belt RR. Co. and United Transportation Union (S)
Irwin M. Lieberman 2	Stamford, CT	November 30, 1977	2073	Detroit Terminal RR. Co. and Railroad Yardmasters of America
Louis Norris 2	New York, NY	December 2, 1977	2074	The Long Island Rail Road and United Transportation Union
Leverett Edwards 2	Fort Worth, TX	December 5, 1977	2075	The Atchison, Topeka and Santa Fe Rwy. Co. (Western Lines Northern and Southern Divisions) and United Transportation Union (C-T-Y)
Arthur T. Van Wart 2	Atlanta, GA	December 6, 1977	2076	Southern Pacific Transportation Co.—Texas and Louisiana Lines and United Transportation Union (S)
Harold M. Weston 2	New York, NY	January 3, 1978	2077	Union Pacific RR. Co. and Brotherhood of Locomotive Engineers
David H. Brown 2	Sherman, TX	May 16, 1978	2078	Louisville and Nashville RR. Co. and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	December 15, 1977	2079	Norfolk and Western Rwy. Co. and Brotherhood of Railroad Signalmen
Robert O. Boyd 2	Alexandria, VA	December 27, 1977	2080	Birmingham Southern RR. Co. and United Transportation Union (T)
Arthur T. Van Wart 2	Atlanta, GA	December 20, 1977	2081	Burlington Northern Inc. and United Transportation Union
David H. Brown 2	Sherman, TX	February 3, 1978	2082	Louisville and Nashville RR. Co. and United Transportation Union
Harold M. Weston 2	New York, NY	December 22, 1977	2083	The Atchison, Topeka and Santa Fe Rwy. Co. and Brotherhood of Locomotive Engineers
Nicholas H. Zumas 2	Washington, DC	January 30, 1978	2084	Norfolk and Portsmouth Belt Line RR. Co. and United Transportation Union (T)
Irwin M. Lieberman 2	Stamford, CT	May 9, 1978	2085	Elgin, Joliet and Eastern Rwy. Co. and United Transportation Union
Robert M. O'Brien 2	Boston, MA	January 9, 1978	2086	Central of Georgia RR. Co. and United Transportation Union
Irving T. Bergman 2	Mineola, NY	January 3, 1978	2087	The Long Island Rail Road and Police Benevolent Association
Arthur W. Sempliner 2	Grosse Pointe Farms, MI	January 14, 1978	2088	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Atlanta, GA	January 3, 1978	2089	The Chesapeake and Ohio Rwy. Co. and United Transportation Union
Jacob Seidenberg 2	Falls Church, VA	January 16, 1978	2090	Union Pacific RR. Co. and United Transportation Union (E)
Preston J. Moore 2	Oklahoma City, OK	January 16, 1978	2091	Missouri-Illinois RR. Co. and United Transportation Union
Jacob Seidenberg 2	Falls Church, VA	January 19, 1978	2092	The Washington Terminal Co. and United Transportation Union (T)
Irwin M. Lieberman 2	Stamford, CT	January 19, 1978	2093	The Atchison, Topeka and Santa Fe Rwy. Co. and United Transportation Union
Robert M. O'Brien 2	Boston, MA	January 19, 1978	2094	Southern Railway Co. and International Brotherhood of Electrical Workers
Preston J. Moore 2	Oklahoma City, OK	January 23, 1978	2095	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Jacob Seidenberg 2	Falls Church, VA	January 23, 1978	2096	Union Pacific RR. Co. and United Transportation Union (C-T)
Louis Yagoda 2	New Rochelle, NY	February 3, 1978	2097	Detroit, Toledo and Ironton RR. Co. and United Transportation Union
David P. Twomey 2	Squantum, MA	March 7, 1978	2098	Central Vermont Rwy. Inc. and United Transportation Union (E)
Jacob Seidenberg 1	Falls Church, VA	January 25, 1978	2099	Norfolk and Western Rwy. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers Express and Station Employes
Dana E. Eischen 2	Ithaca, NY	January 23, 1978	2100	The Long Island Rail Road and American Railway Supervisors Association
Frederick R. Blackwell 2	Gaithersburg, MD	January 23, 1978	2101	Soo Line RR. Co. and United Transportation Union (E)
Preston J. Moore 2	Oklahoma City, OK	January 23, 1978	2102	Florida East Coast Rwy. Co. and Brotherhood of Railroad Signalmen
Robert M. O'Brien 2	Boston, MA	January 30, 1978	2103	The Long Island Rail Road and United Transportation Union
Jacob Seidenberg 2	Falls Church, VA	January 31, 1978	2104	Sacramento Northern Rwy. and Brotherhood of Locomotive Engineers

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1978—(Continued)

Name	Residence	Date of Appointment	Public Law Board No.	Parties
John B. Criswell 2	Stigler, OK	February 14, 1978	2105	Missouri Pacific RR. Co. and United Transportation Union (E)
Nicholas H. Zumas 2	Washington, DC	February 2, 1978	2106	The Toledo Terminal RR. Co. and Brotherhood of Locomotive Engineers
Irving T. Bergman 2	Mineola, NY	February 2, 1978	2107	Norfolk and Western Rwy. Co. and United Transportation Union (T)
Irwin M. Lieberman 2	Stamford, CT	January 30, 1978	2108	Philadelphia, Bethlehem and New England RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks Freight Handlers, Express and Station Employees
Jacob Seidenberg 1	Falls Church, VA	February 10, 1978	2109	Kentucky and Indiana Terminal RR. Co. United Transportation Union
Robert O. Boyd 2	Alexandria, VA	June 7, 1978	2109	Kentucky and Indiana Terminal RR. Co. and United Transportation Union
Nicholas H. Zumas 1	Washington, DC	February 9, 1978	2110	St. Louis-San Francisco Rwy. Co. and Brotherhood of Locomotive Engineers
David H. Brown 2	Sherman, TX	February 14, 1978	2111	Oregon, California and Eastern Rwy. Co. and United Transportation Union
Robert M. O'Brien 2	Boston, MA	April 18, 1978	2112	Fruit Growers Express Co. and Allied Services Division of Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart 2	Wilmington, DE	April 24, 1978	2113	Peoria and Pekin Union Rwy. Co. and United Transportation Union
Francis X. Quinn 2	Philadelphia, PA	February 21, 1978	2114	Consolidated Rail Corp. and United Transportation Union
James C. McBrearty 2	Tucson, AZ	February 21, 1978	2115	Tucson, Cornelia and Gila Bend RR. Co. and United Transportation Union
Arthur T. Van Wart 2	Atlanta, GA	February 21, 1978	2116	Burlington Northern Inc. and United Transportation Union (E)
Kay McMurray 2	Bethesda, MD	June 7, 1978	2117	Chicago, Rock Island and Pacific RR. Co. and United Transportation Union
John B. Criswell 2	Stigler, OK	February 21, 1978	2118	Joint Texas Division of the Chicago, Rock Island and Pacific RR. Co.—and the Fort Worth and Denver Rwy. Co. and United Transportation Union (E)
Irving T. Bergman 2	Mineola, NY	March 28, 1978	2119	Illinois Central Gulf RR. Co. and United Transportation Union
Kay McMurray 2	Bethesda, MD	February 27, 1978	2120	Norfolk and Western Rwy. Co. and International Brotherhood of Electrical Workers.
Joseph A. Sickles 2	Rockville, MD	February 23, 1978	2121	Norfolk and Western Rwy. Co. and United Transportation Union (E)
Preston J. Moore 2	Oklahoma City, OK	March 23, 1978	2122	Illinois Central Gulf RR. Co. and United Transportation Union (T)
Theodore H. O'Brien Jr. 2	Boston, MA	March 7, 1978	2123	The Atchison, Topeka and Santa Fe Rwy. Co. and United Transportation Union (C-T-Y)
Robert M. O'Brien 2	Boston, MA	March 7, 1978	2124	The Los Angeles Junction Rwy. Co. and United Transportation Union (S)
Warren S. Lane 2	Lakeland, FL	March 20, 1978	2125	Elgin, Joliet and Eastern Rwy. Co. and Brotherhood of Locomotive Engineers
Nicholas H. Zumas 2	Washington, DC	March 29, 1978	2126	Union Pacific RR. Co. and United Transportation Union (C-T)
James F. Searce 2	McLean, VA	March 1, 1978	2127	Chicago, Rock Island and Pacific RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart 2	Atlanta, GA	March 1, 1978	2128	Norfolk and Western Rwy. Co. and United Transportation Union (E)
John J. Ward 2	Nashua, NH	March 7, 1978	2130	Boston and Maine Corp. and American Train Dispatchers Association
Neil P. Speirs 2	Rohnert Park, CA	September 11, 1978	2131	Illinois Central Gulf RR. Co. and United Transportation Union
Leverett Edwards 2	Fort Worth, TX	March 29, 1978	2132	Chicago South Shore and South Bend RR. Co. and United Transportation Union
Phillip G. Sheridan 2	Everett, WA	March 21, 1978	2133	White Pass and Yukon Route RR. Co. and United Transportation Union
Harold M. Weston 2	New York, NY	April 3, 1978	2134	Union Railroad Co. and United Transportation Union
John B. Criswell 2	Stigler, OK	March 16, 1978	2135	The Colorado and Southern Rwy. Co. and United Transportation Union
Harold M. Weston 2	New York, NY	April 11, 1978	2136	Minnesota, Dakota and Western Rwy. Co. and United Transportation Union (T)
Arthur T. Van Wart 2	Atlanta, GA	March 16, 1978	2137	Southern Pacific Transportation Co.—Texas and Louisiana Lines and United Transportation Union (C-T)
Louis Norris 2	New York, NY	March 14, 1978	2138	Norfolk and Western Rwy. Co. and Brotherhood of Maintenance of Way Employees
Jacob Seidenberg 2	Falls Church, VA	March 21, 1978	2139	The Washington Terminal Co. and Brotherhood of Maintenance of Way Employees
Arthur T. Van Wart 2	Atlanta, GA	March 23, 1978	2140	Former Penn Central Transportation Co. and United Transportation Union
Harold M. Weston 2	New York, NY	May 3, 1978	2141	Consolidated Rail Corp. and Transport Workers Union of America
Arthur T. Van Wart 2	Wilmington, DE	March 28, 1978	2142	Illinois Central Gulf RR. Co. and Brotherhood of Maintenance of Way Employees

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1978—(Continued)

Name	Residence	Date of Appointment	Public Law Board No.	Parties
David H. Brown 2	Sherman, TX	March 28, 1978	2143	Seaboard Coast Line RR. Co. and United Transportation Union (E)
Irwin M. Lieberman 2	Stamford, CT	March 29, 1978	2144	Union Railroad Co. and United Steelworkers of America (AFL-CIO) Local 3263
Arthur T. Van Wart 2	Wilmington, DE	March 30, 1978	2145	The Baltimore and Ohio RR. Co. and Railroad Yardmasters of America
A. Thomas Van Wart 2	Salem, NJ	September 11, 1978	2146	Elgin, Joliet and Eastern Rwy. Co. and United Transportation Union (C)
Harold M. Weston 2	New York, NY	April 24, 1978	2147	The Tacoma Municipal Belt Line Rwy. and Brotherhood of Locomotive Engineers
Eugene Mittelman 2	Washington, DC	April 18, 1978	2148	Detroit and Toledo Shore Line RR. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	April 3, 1978	2149	The Atchison, Topeka and Santa Fe Rwy. Co. (Coast Lines) and United Transportation Union (E)
Jesse Simons 2	New York, NY	April 3, 1978	2150	National Railroad Passenger Corp. and Joint Council of Carmen, Helpers, Coach Cleaners and Apprentices
David H. Brown 2	Sherman, TX	April 18, 1978	2151	Patapsco and Back Rivers RR. Co. and United Transportation Union
Irwin M. Lieberman 2	Stamford, CT	April 11, 1978	2152	Southern Pacific Transportation Co.—Texas and Louisiana Lines and International Brotherhood of Electrical Workers.
Daniel House 2	New York, NY	April 14, 1978	2153	The Long Island Rail Road and United Transportation Union.
Neil P. Speirs 2	Rohnert Park, CA	May 2, 1978	2154	Southern Pacific Transportation Co.—Texas and Louisiana Lines and Brotherhood of Locomotive Engineers
Preston J. Moore 2	Oklahoma City, OK	April 14, 1978	2155	Sacramento Northern Rwy. Co. and United Transportation Union
Willim M. Edgett 2	Ellicott City, MD	April 17, 1978	2156	The Chesapeake and Ohio Rwy. Co. and Brotherhood of Railroad Signalmen
Jacob Seidenberg 2	Falls Church, VA	April 18, 1978	2157	Chicago, Milwaukee, St. Paul and Pacific RR. Co. and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Wilmington, DE	April 25, 1978	2158	The Atchison, Topeka and Santa Fe Rwy. Co. and United Transportation Union (C-T-Y)
Arthur W. Sempliner 2	Grosse Pointe Farms, MI	April 25, 1978	2159	Detroit, Toledo and Ironton RR. Co. and United Transportation Union
Irving T. Bergman 2	Mineola, NY	April 24, 1978	2160	Burlington Northern Inc. and United Transportation Union (T)
Phillip G. Sheridan 2	Everett, WA	May 8, 1978	2161	Pacific and Arctic Railway and Navigation Co. and International Brotherhood of Teamsters
Louis Yagoda 2	New Rochelle, NY	May 3, 1978	2162	Peoria and Pekin Union Rwy. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Louis Yagoda 2	New Rochelle, NY	May 3, 1978	2163	Consolidated Rail Corp. and United Transportation Union
Gene T. Ritter 1	Ardmore, OK	June 26, 1978	2164	Missouri-Kansas-Texas RR. Co. and United Transportation Union
William M. Edgett 2	Ellicott City, MD	May 2, 1978	2165	Consolidated Rail Corp. and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	May 2, 1978	2166	Chicago and North Western Transportation Co. and Brotherhood of Railroad Signalmen
Jacob Seidenberg 2	Falls Church, VA	May 2, 1978	2168	Illinois Central Gulf RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Irwin M. Lieberman 2	Stamford, CT	May 2, 1978	2169	Southern Pacific Transportation Co.—Texas and Louisiana Lines, and Brotherhood of Railroad Signalmen
Arthur T. Van Wart 2	Wilmington, DE	May 3, 1978	2170	Consolidated Rail Corp. and United Transportation Union
Nicholas H. Zumas 2	Washington, DC	May 5, 1978	2171	Louisville and Nashville RR. Co. and Brotherhood of Locomotive Engineers
Dana E. Eischen 2	Ithaca, NY	May 11, 1978	2172	Western Pacific RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Irwin M. Lieberman 2	Stamford, CT	May 12, 1978	2173	Chicago, Rock Island and Pacific RR. Co. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Harold M. Weston 2	New York, NY	May 22, 1978	2174	The Toledo Lakefront Dock Co. and International Longshoremen's Association—Local 158
Nicholas H. Zumas 1	Washington, DC	July 26, 1978	2176	Delaware and Hudson Rwy. Co.—Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Dana E. Eischen 2	Ithaca, NY	May 24, 1978	2177	The Long Island Rail Road and International Association of Machinists and Aerospace Workers
Harold M. Weston 2	New York, NY	September 11, 1978	2178	Greenwich and Johnsonville Rwy. Co. and United Transportation Union
Preston J. Moore 2	Oklahoma City, OK	September 11, 1978	2179	Union Pacific RR. Co. and Brotherhood of Locomotive Engineers
James C. McBrearty 2	Fucson, AZ	June 1, 1978	2181	San Manuel Arizona RR. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	June 7, 1978	2182	Southern Pacific Transportation Co. Texas and Louisiana Lines and Brotherhood of Maintenance of Way Employees
Dana E. Eischen 2	Ithaca, NY	June 8, 1978	2183	The Western Pacific RR. 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 1978—(Continued)

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Leverett Edwards 2	Fort Worth, TX	June 8, 1978	2184	Norfolk and Western Rwy. Co. and United Transportation Union
Preston J. Moore 2	Oklahoma City, OK	June 12, 1978	2185	Nevada Northern Rwy. Co. and United Transportation Union
John B. Criswell 2	Stigler, OK	June 12, 1978	2186	The Alton and Southern Rwy. Co. and Brotherhood of Maintenance of Way Employees
Nicholas H. Zumas 1	Washington, DC	June 19, 1978	2187	Illinois Central Gulf RR. Co. and United Transportation Union
David Dolnick 2	Chicago, IL	September 11, 1978	2188	Consolidated Rail Corp. and Brotherhood of Railroad Signalmen
James F. Searce 2	McLean, VA	June 16, 1978	2189	Grand Trunk Western RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
David H. Brown 1	Sherman, TX	September 11, 1978	2190	Louisville and Nashville RR. Co. and United Transportation Union
Robert M. O'Brien 2	Boston, MA	June 26, 1978	2191	Chicago, Rock Island and Pacific RR. Co. and United Transportation Union (S)
A. Thomas Van Wart 2	Salem, NJ	June 26, 1978	2193	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Bernard Cushman 2	Silver Spring, MD	June 30, 1978	2194	Minneapolis, Northfield and Southern Rwy. Co. and United Transportation Union
Nicholas H. Zumas 2	Washington, DC	June 29, 1978	2195	Norfolk and Western Rwy. Co. and Brotherhood of Locomotive Engineers
David H. Brown 2	Sherman, TX	September 18, 1978	2196	Terminal Railway Alabama State Docks and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	July 5, 1978	2197	The Long Island Rail Road and International Brotherhood of Firemen and Oilers
Irwin M. Lieberman 2	Stamford, CT	September 11, 1978	2198	The Atchison, Topeka and Santa Fe Rwy. Co. and Brotherhood of Railroad Signalmen
John F. Sembower 1	Chicago, IL	September 14, 1978	2199	Indiana Harbor Belt RR. Co. and United Transportation Union
Joseph A. Sickles 1	Rockville, MD	September 20, 1978	2201	Chicago and Illinois Midland Rwy. Co. and United Transportation Union (E)
Irwin M. Lieberman 2	Stamford, CT	July 14, 1978	2202	Chicago, Rock Island and Pacific RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Harold M. Weston 2	New York, NY	September 11, 1978	2203	Consolidated Rail Corp. and Brotherhood of Maintenance of Way Employees
Dana E. Eischen 2	Ithaca, NY	July 17, 1978	2206	Burlington Northern Inc. and Brotherhood of Maintenance of Way Employees
John Phillip Linn 2	Denver, CO	September 14, 1978	2207	The Colorado and Southern Rwy. Co. and United Transportation Union
William M. Edgett 2	Ellicott City, MD	July 20, 1978	2208	Burlington Northern Inc. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	September 11, 1978	2209	Green Bay and Western RR. Co. and United Transportation Union (T)
A. Thomas Van Wart 2	Salem, NJ	September 11, 1978	2210	Green Bay and Western RR. Co. and United Transportation Union (E)
Bernard Cushman 2	Silver Spring, MD	September 18, 1978	2211	Consolidated Rail Corp. and United Transportation Union (C-T)
Nicholas H. Zumas 2	Washington, DC	September 11, 1978	2212	Portland Terminal RR. Co. and United Transportation Union
John J. Ward 2	Nashua, NH	September 11, 1978	2213	The Long Island Rail Road and International Brotherhood of Electrical Workers
David H. Brown 2	Sherman, TX	September 11, 1978	2214	Louisville and Nashville RR. Co. and United Transportation Union
Joseph A. Sickles 2	Rockville, MD	September 11, 1978	2215	National Railroad Passenger Corp. and International Association of Machinists and Aerospace Workers
H. Raymond Cluster 2	North Truro, MA	September 11, 1978	2216	Central Vermont Rwy. Inc. and Brotherhood of Locomotive Engineers
Joseph A. Sickles 2	Rockville, MD	September 11, 1978	2217	Consolidated Rail Corp. and International Association of Machinists and Aerospace Workers
David H. Brown 2	Sherman, TX	September 11, 1978	2218	Atlanta and West Point RR. Co.—The Western Railway of Alabama and United Transportation Union (C-T)
Harold M. Weston 2	New York, NY	September 11, 1978	2219	Detroit, Toledo and Ironton RR. Co. and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	September 11, 1978	2220	The Chesapeake and Ohio Rwy. Co. and United Transportation Union
Louis Yagoda 2	New Rochelle, NY	September 11, 1978	2221	Former Penn Central Transportation Co. and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	September 11, 1978	2222	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	September 11, 1978	2223	Burlington Northern Inc. and United Transportation Union (T)
Joseph A. Sickles 2	Rockville, MD	September 11, 1978	2224	Norfolk and Portsmouth Belt Line RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Nicholas H. Zumas 2	Washington, DC	September 11, 1978	2225	Detroit, Toledo and Ironton RR. Co. and Brotherhood of Locomotive Engineers
John J. Ward 2	Nashua, NH	September 11, 1978	2226	The Washington Terminal 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 1978—(Continued)

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Dudley E. Whiting 2	Southfield, MI	September 14, 1978	2228	Consolidated Rail Corp. and United Transportation Union (E)
William M. Edgett 2	Ellicott City, MD	September 14, 1978	2229	Consolidated Rail Corp. and United Transportation Union (E)
Irwin M. Lieberman 2	Stamford, CT	September 11, 1978	2230	Missouri Pacific RR. Co. and American Train Dispatchers Association
Joseph A. Sickles 2	Rockville, MD	September 11, 1978	2231	Ashley, Drew and Northern Rwy. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Francis X. Quinn 2	Philadelphia, PA	September 18, 1978	2233	Former Penn Central Transportation Co. and United Transportation Union (E)
Jacob Seidenberg 1	Falls Church, VA	September 11, 1978	2235	Southern Pacific Transportation Co. Texas and Louisiana Lines and Brotherhood of Locomotive Engineers and United Transportation Union (C-T)
Nicholas H. Zumas 2	Washington, DC	September 11, 1978	2236	The Western Maryland Rwy. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	September 11, 1978	2237	The Los Angeles Junction Rwy. Co. and United Transportation Union (E)
Arthur T. Van Wart 2	Wilmington, DE	September 11, 1978	2238	The Toledo Lakefront Dock Co. and International Longshoremen's Association—Local 158
William M. Edgett 2	Ellicott City, MD	September 18, 1978	2240	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Joseph A. Sickles 2	Rockville, MD	September 20, 1978	2241	New York Dock Railway and United Transportation Union
John B. Criswell 2	Stigler, OK	September 25, 1978	2243	Soo Line RR. Co. and United Transportation Union (T-C)
John B. Criswell 2	Stigler, OK	September 25, 1978	2244	New Orleans Public Belt RR. Co. and United Transportation Union (E)
Theodore H. O'Brien, Jr.	Boston, MA	September 25, 1978	2245	The Atchison, Topeka and Santa Fe Rwy. Co. and United Transportation Union (C-T-Y)

1. Procedural
2. Merits
3. Neutral resigned
4. Neutral deceased

2. Arbitrators Appointed—Arbitration Boards, October 1, 1977 to September 30, 1978

Name	Residence	Date of Appointment	Arbitration Board Case No.	Parties
David H. Brown	Sherman, Texas	Nov. 7, 1977	Arbitration No. 372 Case No. A-8830	Louisville and Nashville Railroad Company and United Transportation Union
Joseph A. Sickles	Rockville, Maryland	May 8, 1978	Arbitration No. 373 Case No. A-8830	Boston and Maine Corporation and United Transportation Union
David Dolnick	Chicago, Illinois	January 23, 1978	Arbitration No. 374 No Case Number	Seaboard Coast Line Railroad Company and Brotherhood of Locomotive Engineers
Nicholas H. Zumas	Washington, D.C.	Nov. 29, 1977	Arbitration No. 375 Case No. A-8830	Southern Railway Company United Transportation Union (T-C-Y)
Arthur T. Van Wart	Atlanta, Georgia	March 20, 1978	Arbitration No. 376 Case No. A-8830	Norfolk and Western Railway Company and United Transportation Union
Arthur T. Van Wart	Wilmington, Delaware	May 11, 1978	Arbitration No. 377 Case No. A-5987	Norfolk and Western Railway Company and Brotherhood of Maintenance of Way Employees

2a. Arbitrators Appointed—Task Force Arbitrations, October 1, 1977 to September 30, 1978

Name	Residence	Date of Appointment	Task Force Board No.	Parties
Herbert L. Marx, Jr.	New York, New York	January 6, 1978	13	Detroit and Mackinac Railway Company and United Transportation Union
James F. Searce	McLean, Virginia	November 18, 1977	14	Seaboard Coast Line Railroad Company and United Transportation Union (C-T-E)
Robert O. Boyd	Alexandria, Virginia	December 22, 1977	15	Delaware and Hudson Railway Company and United Transportation Union
Dana E. Eischen	Ithaca, New York	April 17, 1978	16	Delaware and Hudson Railway Company and United Transportation Union

3. Neutrals Appointed—Special Board of Adjustment, Fiscal Year 1978

Name	Residence	Date of Appointment	Special Board No.	Parties
Joseph A. Sickles	Rockville, MD	November 4, 1977	877	Auto-Train Corp. and International Association of Machinists and Aerospace Workers
Gene T. Ritter	Ardmore, OK	November 4, 1977	877	Auto-Train Corp. and International Association of Machinists and Aerospace Workers
John Remington	Miami, FL	November 4, 1977	877	Auto-Train Corp. and International Association of Machinists and Aerospace Workers
Al Leggat	St. Petersburg, FL	November 4, 1977	877	Auto-Train Corp. and International Association of Machinists and Aerospace Workers
Joseph Lazar	Boulder, CO	November 4, 1977	877	Auto-Train Corp. and International Association of Machinists and Aerospace Workers
Ray Dietrich	Fort Lauderdale, FL	November 4, 1977	877	Auto-Train Corp. and International Association of Machinists and Aerospace Workers
James F. Searce	McLean, VA	November 14, 1977	878	Norfolk and Western Rwy. Co. and United Transportation Union
Preston J. Moore	Oklahoma City, OK	January 3, 1978	879	Norfolk and Western Rwy. Co. (Lake Region) and United Transportation Union
Arthur T. Van Wart	Atlanta, GA	January 24, 1978	880	Consolidated Rail Corp. and Railway Labor Executives Association
David P. Twomey	Squantum, MA	January 24, 1978	880	Consolidated Rail Corp. and Railway Labor Executives Association
Joseph A. Sickles	Rockville, MD	January 24, 1978	880	Consolidated Rail Corp. and Railway Labor Executives Association
Arthur W. Sempliner	Grosse Pointe Farms, MI	January 24, 1978	880	Consolidated Rail Corp. and Railway Labor Executives Association
William M. Edgett	Ellicott City, MD	January 24, 1978	880	Consolidated Rail Corp. and Railway Labor Executives Association
Joseph A. Sickles	Rockville, MD	February 1, 1978	881	Norfolk and Western Rwy. Co. and American Train Dispatchers Association
Robert O. Boyd	Alexandria, VA	April 3, 1978	882	Burlington Northern Inc. and Brotherhood of Railroad Signalmen
Joseph A. Sickles	Rockville, MD	April 3, 1978	883	Consolidated Rail Corp. and American Train Dispatchers Association
Harold M. Weston	New York, NY	June 20, 1978	884	The Long Island Rail Road and United Transportation Union
Jacob Seidenberg	Falls Church, VA	June 20, 1978	884	The Long Island Rail Road and United Transportation Union
Irwin M. Lieberman	Stamford, CT	June 20, 1978	884	The Long Island Rail Road and United Transportation Union
Daniel House	New York, NY	June 20, 1978	884	The Long Island Rail Road and United Transportation Union
Dana E. Eischen	Ithaca, NY	June 20, 1978	884	The Long Island Rail Road and United Transportation Union
Joseph A. Sickles	Rockville, MD	June 15, 1978	885	Norfolk and Western Rwy. Co. and Railroad Yardmasters of America
William M. Edgett	Ellicott City, MD	July 10, 1978	886	The Baltimore and Ohio RR. Co.—The Western Maryland Rwy. Co. and United Transportation Union (T-E)
Arthur T. Van Wart	Wilmington, DE	July 11, 1978	887	Certain Eastern, Western and Southeastern Railroads and Brotherhood of Railroad Trainmen now part of the United Transportation Union
Arthur T. Van Wart	Wilmington, DE	July 11, 1978	888	Certain Eastern, Western and Southeastern Railroads and United Transportation Union (Former Brotherhood of Railroad Trainmen)
Nelson M. Bortz	Kitty Hawk, NC	July 11, 1978	889	Norfolk and Western Rwy. Co. United Transportation Union
Dana E. Eischen	Ithaca, NY	September 13, 1978	890	The Akron, Canton and Youngstown RR. Co. and United Transportation Union

4. Neutrals Nominated Pursuant to Union Shop Agreements, October 1, 1977 to September 30, 1978

Name	Residence	Date of Appointment	Carrier	Organization	Individual Involved
Frederick R. Blackwell	Washington, D.C.	November 21, 1977	Southern Railway System	Brotherhood of Railroad Signalmen	J. T. Coker
Paul C. Dugan	Kansas City, Missouri	November 29, 1977	Atchison, Topeka and Santa Fe Railway Company	Brotherhood of Railroad Signalmen	David G. Lennox
Gene T. Ritter	Ardmore, Oklahoma	December 20, 1977	Missouri-Kansas-Texas Railroad Company	Brotherhood of Maintenance of Way Employees	George Gonzales
Robert O. Boyd	Alexandria, Virginia	January 9, 1978	National Railroad Passenger Corporation (AMTRAK)	Brotherhood of Railway, Airline, and Steamship Clerks, Freight Handlers, Express and Station Employees	Helen Caldwell
Warren S. Lane	Lakeland, Florida	March 8, 1978	Auto-Train Corporation	International Association of Machinists and Aerospace Workers	—
James J. Sherman	Tampa, Florida	May 30, 1978	Auto-Train Corporation	International Association of Machinists and Aerospace Workers	Bernd Mergener
Bernard Cushman	Silver Spring, Maryland	July 21, 1978	Atchison, Topeka and Santa Fe Railway Company	International Brotherhood of Firemen and Oilers	Charles E. Robinson

4a. Neutrals Appointed Pursuant to Interstate Commerce Commission's Orders, October 1, 1977 to September 30, 1978

Name	Residence	Date of Appointment	Carrier	Organization	Individual Involved
Parties never selected an arbitrator from NMB panel submitted		April 17, 1978	Illinois Central Gulf Railroad Company		Jerry P. Haney

5. Referees Appointed—System Board of Adjustment, October 1, 1977 to September 30, 1978 (Airlines)

Name	Residence	Date of Appointment	Parties
J. Earl Williams	Houston, Texas	Oct. 4, 1977	Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
William H. Coburn	Alexandria, Virginia	Oct. 12, 1977	Ozark Air Lines, Inc. and Air Line Pilots Association
Preston J. Moore	Oklahoma City, Oklahoma	Oct. 12, 1977	Ozark Air Lines, Inc. and Air Line Pilots Association
Howard G. Gamser	Washington, D.C.	Oct. 12, 1977	Ozark Air Lines, Inc. and Air Line Pilots Association
Abraham Weiss	Bethesda, Maryland	Oct. 12, 1977	Ozark Air Lines, Inc. and Air Line Pilots Association
Bernard Cushman	Silver Spring, Maryland	Oct. 17, 1977	Ozark Air Lines, Inc. and Air Line Pilots Association
Warren S. Lane	Lakeland, Florida	Oct. 17, 1977	Ozark Air Lines, Inc. and Air Line Pilots Association
Anne H. Miller	Glenview, Illinois	Oct. 19, 1977	Continental Airlines, Inc. and Union of Flight Attendants, Local No. 1
Barbara W. Doering	West Lafayette, Indiana	Oct. 19, 1977	Continental Airlines, Inc. and Union of Flight Attendants, Local No. 1
Jay Kramer*	Great Neck, New York	Oct. 19, 1977	Aerolineas Argentinas and Transport Workers Union of America
Anne H. Miller	Glenview, Illinois	Oct. 27, 1977	Continental Airlines, Inc. and Union of Flight Attendants, Local No. 1
Francis J. Robertson	Chevy Chase, Maryland	Oct. 28, 1977	Seaboard World Airlines, Inc. and Air Line Pilots Association
James C. McBrearty*	Tucson, Arizona	Nov. 3, 1977	Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
Paul D. Hanlon	Portland, Oregon	Nov. 7, 1977	Continental Airlines, Inc. and Union of Flight Attendants, Local No. 1
Anne H. Miller*	Glenview, Illinois	Nov. 7, 1977	Alaska Airlines, Inc. and Association of Flight Attendants
Paul D. Hanlon	Portland, Oregon	Nov. 15, 1977	Alaska Airlines, Inc. and Association of Flight Attendants
Anne H. Miller	Glenview, Illinois	Nov. 15, 1977	Alaska Airlines, Inc. and Association of Flight Attendants
Eugene Mittelman	Washington, D.C.	Nov. 22, 1977	Sabena Belgian World Airlines and Transport Workers Union of America
Two panels submitted on November 29, 1977 but disputes never arbitrated			Trans International Airlines, Inc. and International Brotherhood of Teamsters.
Preston J. Moore*	Oklahoma City, Oklahoma	Dec. 2, 1977	Braniff Airways, Inc. and Association of Flight Attendants
Panel submitted on December 2, 1977 but parties have not selected an arbitrator			Braniff Airways, Inc. and Association of Flight Attendants
Bernard Cushman	Silver Spring, Maryland	Dec. 15, 1977	Alitalia Airlines and Disciplinary Review Commission for Non-Collective Bargaining Employees
Bernard Cushman*	Silver Spring, Maryland	Dec. 20, 1977	Seaboard World Airlines, Inc. and Air Line Pilots Association
Herbert L. Marx, Jr.*	New York, New York	Dec. 20, 1977	Pan American World Airways, Inc. and Transport Workers Union of America
Panel submitted on December 20, 1977 but no arbitrator selected as yet.			Piedmont Airlines, Inc. and International Association of Machinists and Aerospace Workers
Panel submitted on December 20, 1977 but was withdrawn by AFA			Braniff Airways and Association of Flight Attendants
Panel submitted on December 21, 1977 but was resolved by the parties			Braniff Airways and Association of Flight Attendants
Panel submitted on December 21, 1977 but parties have not selected an arbitrator			Braniff Airways and Association of Flight Attendants
Alexander B. Porter*	McLean, Virginia	Dec. 21, 1977	Braniff Airways and Association of Flight Attendants
James C. McBrearty*	Tucson, Arizona	Dec. 21, 1977	Braniff Airways and Association of Flight Attendants
Panel submitted on December 21, 1977 but parties have not selected an arbitrator			Braniff Airways and Association of Flight Attendants
Dana E. Eischen*	Ithaca, New York	Dec. 21, 1977	Braniff Airways and Association of Flight Attendants
Jacob Seidenberg	Falls Church, Virginia	Dec. 21, 1977	Seaboard World Airlines, Inc. and Air Line Pilots Association
Herbert L. Marx, Jr.*	New York, New York	Jan. 6, 1978	Braniff Airways and International Brotherhood of Teamsters
Panel submitted on January 6, 1978 but parties have not selected an arbitrator			Braniff Airways and International Brotherhood of Teamsters
Francis J. Robertson	Chevy Chase, Maryland	Jan. 6, 1978	Seaboard World Airlines, Inc. and Air Line Pilots Association
Howard G. Gamser	Washington, D.C.	Jan. 19, 1978	Alitalia and International Association of Machinists and Aerospace Workers
Panel submitted on January 19, 1978 but dispute never arbitrated.			Trans International Airlines, Inc. and International Brotherhood of Teamsters
William H. Coburn	Alexandria, Virginia	February 3, 1978	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Eva Robins	New York, New York	February 3, 1978	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Francis J. Robertson	Chevy Chase, Maryland	February 3, 1978	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Jacob Seidenberg	Falls Church, Virginia	February 3, 1978	Eastern Air Lines, Inc. and Salaried Non-Management Employees
George Savage King*	Atlanta, Georgia	February 22, 1978	Pan American World Airways, Inc. and United Plant Guard Workers of America
J. Thomas Rimer*	Atlanta, Georgia	February 22, 1978	Pan American World Airways, Inc. and United Plant Guard Workers of America
J. Thomas Rimer*	Atlanta, Georgia	February 22, 1978	Pan American World Airways, Inc. and United Plant Guard Workers of America
Panel submitted February 22, 1978 but dispute resolved prior to arbitration			Pan American World Airways, Inc. and United Plant Guard Workers of America
James C. Vadakin*	Coral Gables, Florida	February 22, 1978	Braniff Airways and Association of Flight Attendants
Panel submitted on February 22, 1978 but parties selected their own arbitrator			Braniff Airways and Association of Flight Attendants
Robert J. Ables*	Washington, D.C.	February 22, 1978	Braniff Airways and Association of Flight Attendants
Elaine Frost*	Detroit, Michigan	February 22, 1978	Braniff Airways and Association of Flight Attendants
Panel submitted on February 22, 1978 but parties have not selected an arbitrator			Braniff Airways and Association of Flight Attendants
Panel submitted February 22, 1978 but parties have not selected an arbitrator			Piedmont Airlines, Inc. (Div. Piedmont Aviation) and International Association of Machinists and Aerospace Workers
Panel submitted February 22, 1978 but parties have not selected an arbitrator			Piedmont Airlines, Inc. (Div. Piedmont Aviation) and International Association of Machinists and Aerospace Workers
Panel submitted on March 6, 1978 but parties settled without benefit of arbitrator			Taca International Airlines, S.A. and International Association of Machinists and Aerospace Workers
Ruth E. Kahn*	Birmingham, Michigan	March 7, 1978	Alaska Airlines, Inc. and Association of Flight Attendants
Panel submitted on March 7, 1979 but dispute resolved prior to arbitration			Alaska Airlines, Inc. and Association of Flight Attendants
Panel submitted on March 7, 1979 but parties selected their own arbitrator			Alaska Airlines, Inc. and Association of Flight Attendants
Panel submitted on March 7, 1979 but parties resolved the dispute prior to arbitration			Alaska Airlines, Inc. and Association of Flight Attendants
Francis J. Robertson*	Chevy Chase, Maryland	March 7, 1978	Pan American World Airways and Transport Workers Union of America

5. Referees Appointed—System Board of Adjustment, October 1, 1977 to September 30, 1978 (Airlines)—(Continued)

Name	Residence	Date of Appointment	Parties
Thomas G. Christensen*	New York, New York	March 7, 1978	Pan American World Airways and Transport Workers Union of America
Howard G. Gamser	Washington, D.C.	March 29, 1978	Alitalia Airlines, Inc. and International Association of Machinists and Aerospace Workers
Rolf Valtin	McLean, Virginia	March 20, 1978	Alitalia Airlines, Inc. and International Association of Machinists and Aerospace Workers
Panel submitted on March 20, 1978 but dispute settled by parties prior to arbitration			Capitol International Airways and Air Line Pilots Association
A. Alfred Della Corte*	Stony Brook, New York	April 14, 1978	Pan American World Airways and Transport Workers Union of America
David P. Twomey*	Chestnut Hill, Massachusetts	April 14, 1978	Air New England and Air New England Pilots Association
Harold H. Leeper*	Dallas, Texas	April 18, 1978	Braniff Airways and Association of Flight Attendants
Arthur Stark*	New York, New York	May 5, 1978	Aerolineas Argentinas and Transport Workers Union of America
Panel submitted on May 5, 1978 but no neutral selected as yet by parties			Piedmont Airlines, Inc. and International Association of Machinists and Aerospace Workers
Francis A. O'Neill, Jr.*	Manasquan, New Jersey	May 5, 1978	Aerolineas Argentinas and Transport Workers Union of America
H. T. Herrick	Washington, D.C.	May 10, 1978	Seaboard World Airlines and Transport Workers Union of America
Dana E. Eischen	Ithaca, New York	May 10, 1978	Seaboard World Airlines and Transport Workers Union of America
Thomas G. S. Christensen	New York, New York	May 9, 1978	Seaboard World Airlines and Transport Workers Union of America
Jay Kramer	Great Neck, New York	May 9, 1978	Seaboard World Airlines and Transport Workers Union of America
Abraham Weiss	Bethesda, Maryland	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Walter C. Wallace	Washington, D.C.	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
A. Alfred Della Corte	Stony Brook, New York	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Daniel House	New York, New York	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Millard Cass	Silver Spring, Maryland	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
George S. Roukis	Manhasset Hills, Massachusetts	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
James M. Harkless	Washington, D. C.	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
David M. Beckerman	Livingston, New Jersey	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Eugene Mittelman	Washington, D.C.	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Arnold M. Zack	Boston, Massachusetts	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Ida Klaus	New York, New York	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Bernard Cushman	Silver Spring, Maryland	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Lawrence W. Kennelly	Bethesda, Maryland	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Clara W. Friedman	New York, New York	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Joseph A. Sickles	Rockville, Maryland	May 8, 1978	Seaboard World Airlines and Transport Workers Union of America
Six panels submitted on May 8, 1978 but disputes settled by parties			Pan American World Airways and International Brotherhood of Teamsters, Local 769
Paul D. Hanlon	Portland, Oregon	May 15, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Tedford E. Schoonover	Colorado Springs, Colorado	May 15, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Neil P. Speirs	Rohnert Park, California	May 15, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Joseph S. Kane	Seattle, Washington	May 15, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Thomas T. Roberts	Rolling Hills, California	May 15, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Phillip G. Sheridan	Everett, Washington	May 15, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Morris L. Myers	San Francisco, California	May 15, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Panel submitted on May 23, 1978 but parties selected their own arbitrator			Seaboard World Airlines and Air Line Pilots Association
Two panels submitted on May 23, 1978 but no arbitrator selected as yet			Piedmont Airlines, Inc. Div. Piedmont Aviation, Inc. and International Association of Machinists and Aerospace Workers
Ruth E. Kahn*	Birmingham, Michigan	May 24, 1978	Alaska Airlines, Inc. and Association of Flight Attendants
Anne H. Miller*	Glenview, Illinois	May 24, 1978	Alaska Airlines, Inc. and Association of Flight Attendants
Edgar A. Jones, Jr.*	Los Angeles California	May 24, 1978	Alaska Airlines, Inc. and Association of Flight Attendants
Panel submitted on May 24, 1978 but no arbitrator selected as yet.			Braniff Airways, Inc. and Association of Flight Attendants
James C. McBrearty	Tucson, Arizona	May 24, 1978	Braniff Airways, Inc. and Association of Flight Attendants
Panel submitted on May 24, 1978 but no arbitrator has been selected as yet			Braniff Airways, Inc. and Association of Flight Attendants
Panel submitted on May 24, 1978 but no arbitrator has been selected as yet.			Braniff Airways, Inc. and Association of Flight Attendants
Panel submitted on June 7, 1978 but no arbitrator has been selected as yet.			Scenic Airlines, Inc. and Union of Professional Airmen
James F. Scarce	McLean, Virginia	June 26, 1978	North Central Airlines, Inc. and International Association of Machinists and Aerospace Workers
James J. Sherman*	Tampa, Florida	June 26, 1978	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Paul D. Hanlon	Portland, Oregon	July 7, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Barbara W. Doering*	West Lafayette, Indiana	July 10, 1978	Alaska Airlines, Inc. and Association of Flight Attendants
Leo Kotin*	Sherman Oaks, California	July 10, 1978	Alaska Airlines, Inc. and Association of Flight Attendants
Leo V. Killion*	San Rafael, California	July 10, 1978	Alaska Airlines, Inc. and Association of Flight Attendants
James C. Vadakin*	Coral Gables, Florida	July 12, 1978	Pan American World Airways, Inc. and United Plant Guard Workers of America
Donald E. Cullen	Ithaca, New York	July 24, 1978	Sabena Belgian World Airlines and Transport Workers Union of America
Claude Lilly	Houston, Texas	August 4, 1978	Aero Mexico and International Association of Machinists and Aerospace Workers
Paul D. Hanlon	Portland, Oregon	August 9, 1978	Alaska Airlines, Inc. and Air Line Pilots Association
Bernard Cushman	Silver Spring, Maryland	August 9, 1978	Seaboard World Airlines, Inc. and Air Line Pilots Association
Anne H. Woolf*	Norman, Oklahoma	August 14, 1978	National Airlines, Inc. and Air Line Employees Association
Panel submitted on August 14, 1978 but dispute settled without arbitration			TAP Airlines, of Portugal and International Brotherhood of Teamsters

5. Referees Appointed—System Board of Adjustment, October 1, 1977 to September 30, 1978 (Airlines)—(Continued)

Name	Residence	Date of Appointment	Parties
Panel submitted on August 14, 1978			
but arbitrator selected by parties from another panel			Executive Jet Aviation, Inc. and International Brotherhood of Teamsters
Two panels submitted on August 14, 1978			
but parties have not selected an arbitrator as yet			Braniff Airways and Air Line Pilots Association
Herbert L. Marx, Jr.*	New York, New York	August 25, 1978	Aerolineas Argentinas and Transport Workers Union of America
Bernard Cushman	Silver Spring, Maryland	August 30, 1978	Allegheny Airlines and Association of Flight Attendants
Bernard Cushman*	Silver Spring, Maryland	September 6, 1978	Airlift International, Inc. and Association of Flight Attendants
Eugene Mittelman	Washington, D.C.	September 18, 1978	Alitalia Airlines and International Association of Machinists and Aerospace Workers

*Arbitrator selected from panel submitted by NMB

5a. Referees Appointed—CAB Labor Protective Provisions, October 1, 1977 to September 30, 1978

Name	Residence	Date of Appointment	Parties
Panel submitted but dispute never arbitrated		May 5, 1978	Trans International Airlines/Saturn Airways, Inc./T. Raymond Cuddy/Robert R. Davalos

5b. Referees Appointed—Board of Adjustment, October 1, 1977 to September 30, 1978 (Railroad)

Name	Residence	Date of Appointment	Parties
J. B. Gillingham*	Seattle, Washington	November 29, 1977	The Alaska Railroad and United Transportation Union

*Arbitrator selected from panel submitted by NMB.

6. Neutral Referees Appointed Pursuant to Public Law 91-518—Rail Passenger Service Act of 1970 (Amtrak), October 1, 1977 to September 30, 1978

Name	Residence	Date of Appointment	Amtrak No.	Parties
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None

7. Arbitrators Appointed—Regional Rail Reorganization Act of 1973 (ConRail), October 1, 1977 to September 30, 1978

Name	Residence	Date of Appointment	Con Rail No.	Individual Involved
Panel submitted on February 3, 1978 but no neutral selected			4	S. A. Mehta (Monthly Displacement Allowance)
Irwin M. Lieberman*	Stamford, Connecticut	February 23, 1978	5	David G. Merrill (Severance Allowance)
Jacob Seidenberg**	Falls Church, Virginia	April 3, 1978	6	Wallace R. Steffen (Transfer Notice)
William M. Edgett*	Ellicott City, Maryland	July 24, 1978	6	Wallace R. Steffen (Transfer Notice)
Panel submitted on April 6, 1978 but no neutral selected. Second panel submitted			7	Richard J. Ferriter (Entitlement of Title V Benefits)
Arnold Ordman*	Bethesda, Maryland	July 6, 1978	7	Richard J. Ferriter (Entitlement of Title V Benefits)
Thomas G. S. Christensen*	New York, New York	April 17, 1978	8	David W. Walsh (Entitlement of Title V Benefits)
Panel submitted on April 21, 1978 but no neutrals selected			9	Richard W. Whitehead (Severance Allowance)
Arnold Zack*	Boston, Massachusetts	July 21, 1978	10	Ralph P. Wille (Entitlement of Title V Benefits)
M. David Keefe*	Roseville, Michigan	September 6, 1978	11	Raymond E. Schaufele (Monthly Displacement Allowance)

*Selected from panels submitted by National Mediation Board

**Neutral withdrew

7a. Arbitrators Appointed (Regional Rail Reorganization Act of 1973—Pennsylvania Truck Lines, Inc.), October 1, 1977 to September 30, 1978

Name	Residence	Date of Appointment	PTL No.	Individual Involved
Clare B. McDermott*	Pittsburgh, Pennsylvania	March 22, 1978	1	William Burd (Title V Benefits)

*Selected from panel submitted by National Mediation Board

ACKNOWLEDGMENT

The National Mediation Board acknowledges with appreciation the following organizations and publications for their assistance in supplying photographs for this report:

- Air Transport Association
- Air Transport World
- American Train Dispatchers Association
- Association of American Railroads
- LABOR
- Railway Journal
- The Air Line Employee

