

Forty-Fifth
Annual Report

Including the Report
of the
National Railroad
Adjustment Board

National Mediation Board

For The Fiscal
Year Ended
September 30, 1979





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 honor to submit the Forty-Fifth Annual Report of the National Mediation Board for fiscal year 1979, pursuant to the provisions of Section 4, Second, of Public Law No. 442, 73rd Congress, approved June 21, 1934.

The report is a comprehensive twelve-month review of the board's administration of the Railway Labor Act — the collective bargaining statute which governs labor relations in the rail and air transportation industries. The law provides a complete set of procedures for preserving industrial peace while, at the same time, insuring the right of employees to organize and bargain collectively through representatives of their own choosing.

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

Respectfully,

Robert O. Harris
Chairman

Register—Members, National Mediation Board

Name	Appointed	Terminations
William M. Leiserson	July 21, 1934	Resigned May 31, 1939
James W. Carmalt	July 21, 1934	Deceased Dec. 2, 1937
John M. Carmody	July 21, 1934	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 expired 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
Robert J. Brown ¹	Aug. 20, 1979	Term expires July 1, 1982

¹Succeeded David H. Stowe August 20, 1979



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I. Fiscal 1979: A 'Productive' and 'Challenging' Year

The words *productive* and *challenging* must best sum up another particularly busy year for the National Mediation Board, as we reflect on fiscal 1979 as a period of frequent marathon mediation sessions and the disposition of more representation cases than at any time in the past 25 years.

The Board, the only Federal agency to handle both mediation and representation cases, also completed its 45th year of administering the Railway Labor Act, whose policies and procedures have been highly effective in settling most of the labor-management disputes in the railroads and airlines. Both of these industries, though plagued by inflation and recession, set all-time traffic records in fiscal 1979 as they continued to impact significantly on the national economy and traveling public.

The increasing impact of these two industries on the daily lives of the American public also places increasing importance on the bargaining skills of railroad and airline labor-management negotiators working closely with the NMB in carrying out the

provisions of the Railway Labor Act to achieve their goals and maintain labor peace.

That the Board, to date, has handled 10,256 air and rail mediation cases marred by only 321 work stoppages is a testimonial to the Act's success. But, more importantly, this impressive 97% settlement rate brings into sharp focus the cooperative spirit of the parties who have found it necessary to resolve their differences through mediation.

This was especially apparent during the current fiscal year as industry-wide contract negotiations between major rail unions and railroads came to a close. By the spring of fiscal 1979, all 13 major labor organizations, representing more than half a million workers in the operating, non-operating and shop craft unions, had signed 39-month agreements with the National Railway Labor Conference, management's bargaining arm. Railroad bargaining gained momentum in 1978 and then moved into high gear this year as the last contract was signed May 30, 1979.

Not one union struck the rail system, thereby



eliminating what could have resulted in a crippling blow to the economy. There were two Emergency Boards appointed by the President, on recommendation by the NMB. One board set a precedent by mediating a national contract settlement in the first 30 days, an accomplishment never before achieved in the Act's 53-year history. This agreement was reached with the American Train Dispatchers Association, the last union to settle. The railroads can now look to a period of relative stability before entering the next round of national bargaining in 1981.

Following contract negotiations, and in a continuing effort to work toward more effective labor relations, rail union and carrier negotiators, in cooperation with the National Mediation Board, held a precedent-setting 2½-day conference to discuss issues that hopefully would lead to even more constructive collective bargaining in the future.

Mediation also played a key role in airline bargaining in fiscal 1979. Mechanics, flight attendants, flight engineers, pilots, clerical, fleet and passenger service, dispatchers, ground flight instructors, radio and teletype operators, nurses, and other groups of employees were up for contract renewal with an industry that hires over 300,000 workers to keep the airplanes flying. There was a 58-day strike against United Airlines by the International Association of Machinists and Aerospace Workers, longest in the carrier's history. The Board conducted marathon mediation sessions over a prolonged period while assisting in bringing about three tentative contract agreements, two of which were rejected and the third overwhelmingly accepted by 18,600 IAM&AW members working for United.

It should be emphasized, however, that the airlines, which negotiate individually with unions on a system-wide rather than an industry-wide basis, reached settlement with their employees in 58 contract disputes requiring mediation in fiscal year 1979. In addition, certain airlines and unions continued to rely on an innovative method of settling contract disputes *promptly* without the threat of a strike or a lockout. This expedited procedure is explained in detail in a later chapter.

Additionally, the Board and its staff spends considerable time investigating representation disputes and holding elections in carrying out the Act's mandate that, "Employees shall have the right to organize and bargain collectively through representatives of their own choosing." Since 1955, there have been 2,095 representation cases closed by the Board encompassing 2,423 separate craft or class determi-

nations. In that 25-year period, over 508,000 railroad and airline employees were involved in elections to choose their own bargaining representatives. Nearly 1,500 of those cases resulted in certification of employee representatives by the Board. Closed-out representation cases reached a record 119 in fiscal 1979, the most cases disposed of in the past quarter century.

A special report, prepared by the NMB Research Department analyzing the "union success rate" in representation elections during the fiscal years 1977-1979, is discussed later in this issue. Also included in this Annual Report, for the first time, is a section on recent and important developments in the representation case area involving a number of significant policy decisions.

Complex employee representation cases brought before the Board increased substantially in fiscal 1979. The agency's hearing officers had their busiest year due to the expanded need for public hearings, complicated by a multiplicity of complicated issues and legal questions arising out of representation investigations. Freedom of Information Act requests also increased, creating a costly and time consuming problem for staff members whose heavy FOIA workload surpassed the number of inquiries in 1978.

The three-member Board, chaired by Robert O. Harris, was assisted by a small staff of specialists covering every facet of labor relations activities that affect the agency. In the field, 20 mediators handle all types of cases and, through years of experience, have gained the trust and confidence of labor and management representatives from Maine to Hawaii.

The NMB has administrative responsibility over the National Railroad Adjustment Board, which handles grievance disputes under existing rail contracts. NRAB's fiscal 1979 activities are also summarized in this issue.

The National Mediation Board looks to the 1980's with the same determination as in the past — that is, to the best of its ability to assist in keeping labor peace within the two industries it serves, thereby protecting the economy and the public from disruptive work stoppages. So far, our record has been good, as evidenced in the full report that follows.

NOTE: To better understand the varied activities and statistics that follow, it may be helpful to read first, "The Railway Labor Act—How it Works," a brief summary at the end of the NMB report. The four-page analysis of the Act begins on page 41.



II. Highlights

National Contract Bargaining for Railroads Ends on High Note

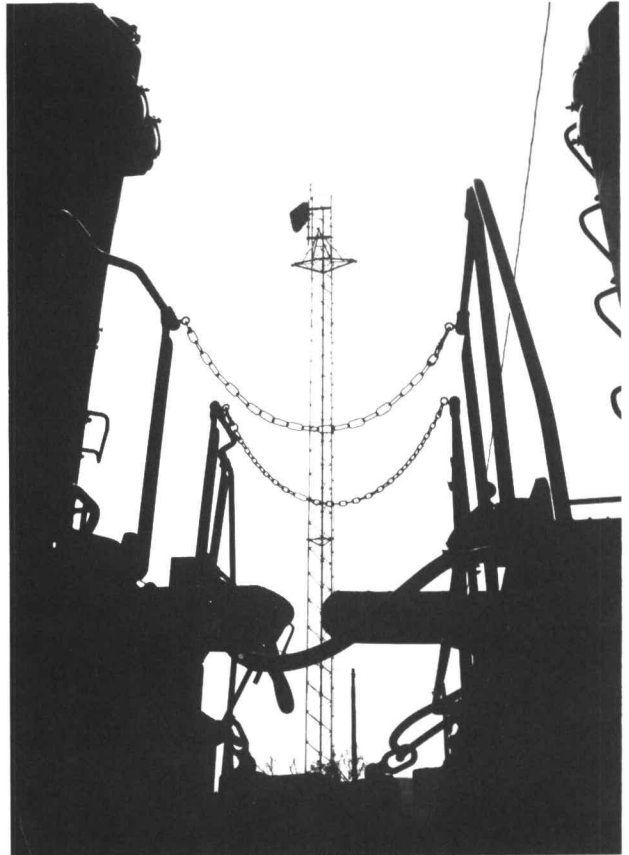
The National Mediation Board played an integral role in one of the nation's most significant labor relations events in fiscal 1979—one whose eventual outcome would have an effect on all Americans. This, of course, was the national contract bargaining round between the 13 major rail unions and carriers. Any work stoppage during those negotiations could have shut down the rail system across the land, inflicting severe damage to the economy and imperiling the general welfare of the nation.

Such a catastrophe, of course, did not happen. All 13 unions settled with the National Railway Labor Conference, management's bargaining arm for more than 70 Class I railroads whose 902 billion ton miles of freight hauled set a record in 1979.

Mediation played a critically important role in bringing about these 39-month agreements. There were no strikes and the one Emergency Board recommended by NMB—and subsequently appointed by President Carter—promptly mediated a settlement. Emergency Board Chairman James J. Reynolds, assisted by members Ida Klaus and Nicholas Zumas, made history by bringing about that settlement between the NRLC and the American Train Dispatchers Association, as no previous board had ever mediated a national rail settlement in 30 days.

It should be noted that, unlike most other industrial relationships in the United States, railroad collective bargaining agreements are not commonly of a fixed duration. Instead, requests for changes in pay, rules and working conditions may be raised by either party by filing notice of intent to change an existing agreement, a so-called Section 6 notice under the Railway Labor Act. A second characteristic of rail bargaining is an agreement between the carriers and unions to conduct bargaining negotiations on an industry-wide basis.

The overwhelming bulk of the industry's approximate 500,000 rail employees are organized and fall into these three groups: operating, non-operating, and shopcrafts. The operating crafts represent engi-



neers, firemen, trainmen, conductors, brakemen and switchmen. The non-operating unions include the Brotherhood of Railway, Airline and Steamship Clerks, the Brotherhood of Maintenance of Way Employees and the Brotherhood of Railroad Signalmen. The six shopcraft unions are the International Association of Machinists and Aerospace Workers, Sheet Metal Workers' International Association, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, International Brotherhood of Electrical Workers, Brotherhood of Railway Carmen, and International Brotherhood of Firemen and Oilers—the latter four unions bargaining as a group in the Railway Employees' Department, known as RED.



National rail bargaining began in fiscal 1978 but the preponderance of contract signings occurred in fiscal 1979.

The decade of the 1970s was unusually significant since, for the first time, a moratorium on major issues in each rail labor contract expired simultaneously. Common expiration dates of contracts have created a coordinated bargaining effort enabling a "pattern" to be developed acceptable to both carriers and employees. Such unified bargaining coupled with industry-wide negotiations should help insure rail stability in the months ahead.

Interestingly, the President's wage and price guidelines program came into effect in October 1978 after several national rail agreements had been reached. The rail contract signings that followed qualified for an exemption of the 7 percent wage standard because the involved unions maintained a "close historical tandem relationship" with those unions that had settled before the guidelines were announced.

How Expedited Procedures Prevent Airline Strikes

Can a strike be prevented?

Certain airlines and unions have figured out a way—assisted by the National Mediation Board—through use of an innovative 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.

Braniff Airways and the Air Line Pilots Associa-

tion settled April 8, 1979, on a 30-month contract by using this novel procedure. The Pilots ratified the contract four days later. They first agreed to try the format to resolve a contract dispute in 1976. The results were so successful that the procedure was used again for this fiscal year's negotiations. The parties will retain the procedure for the third consecutive time in the next round of bargaining as well.

In both instances, settlements were reached in mediation with no need for the binding arbitration step.

Captain J. J. O'Donnell, ALPA's President, in expressing his views on the third renewal of this final settlement procedure with Braniff, said: "The process allows each side an opportunity to limit the number of issues to be negotiated, and insures that the parties will complete negotiations before the amendable date of their agreement. By limiting the issues, both sides can concentrate on the real problems; and by completing their negotiations before the amendable date, both sides can avoid the difficulty of retroactivity."

Here's how the Braniff-ALPA procedure worked to bring about a prompt settlement: The two parties decided on a limited number of issues to negotiate, rather than bringing the scores of negotiable items to the bargaining table. The parties in the letter of agreement concluded that direct negotiating sessions should be limited to 30 days; if a settlement was not reached by then, it was agreed the National Mediation Board would mediate the case for 30 days; if an impasse was then reached on certain issues after mediation, the parties agreed to accept immediately an offer of final and binding arbitration. Braniff and ALPA, in a 60-day period of negotiations and media-

tion, had agreed to a contract that in previous conventional bargaining sessions had taken months or a year or more of frustration to settle.

Braniff's Chairman of the Board, Harding L. Lawrence, speaks candidly about the benefits of the expedited procedure. "The voluntary arbitration agreement between Braniff and the Air Line Pilots Association may well be the solution to the uncertainties in airline labor relations which have resulted in disruption in service to the public and employment for the employees. Experience under our agreement has shown that both parties are more willing to work toward a solution to their mutual problems than to turn such solution over to a third party."

Then he adds: "In my opinion the greatest value of the voluntary arbitration agreement is in 'not using it.' "

The Pilots also have a similar type of agreement with Alaska Airlines 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.

The expedited process is also used in the rail industry between ConRail and such unions as the Brotherhood of Railroad Signalmen and the United Transportation Union.

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

Representation Hearings Move into High Gear in Fiscal 1979

The quantity and complexity of National Mediation Board public hearing activities increased substantially during fiscal year 1979.

Carriers and labor organizations have become increasingly more formal in their appearances before the Board, including a greater use of attorneys on their behalf. This formalization has been accompanied by a proliferation of contested issues associated with each case, as well as to the expanded need for public hearings to resolve the factual and legal questions arising out of representation investigations. 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 the development of evidence and other information which form the basis for Board actions.

It should be emphasized that hearing proceedings before the NMB result in agency determinations

directly evaluated and approved by the three Board members rather than by staff decision. Significantly, public hearings present a variety of novel propositions for Board consideration and, accordingly, require thorough analysis and research by agency personnel.

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 hearings. Other factors, including the growing pattern of litigation and threatened litigation to set aside Board actions have, as a practical matter, increased the requirement for public hearings to insure that the Board's final decisions are structured on as firm a factual and legal foundation as possible.

Freedom of Information Act Services

The National Mediation Board's Freedom of Information Act (FOIA) office is designed to benefit the public by providing full access to agency documents not restricted from disclosure under specific statutory exemptions. The vast majority of documents requested by the public have been released without any deletions or withholdings.

During fiscal year 1979 the Board's FOIA activity increased substantially. For instance, 184 FOIA requests were received by the Board in fiscal year 1979 as compared with 137 requests during the previous year. In addition, 9 appeals were filed from the Executive Secretary's initial decisions in fiscal year 1979.

More costly types of FOIA requests confronted the Board during the year. Such broad requests sought to examine every document in numerous case files which required the agency's FOIA Officer to review and analyze all documents in each file to determine whether the documents contained information privileged from disclosure under the exemptions of the FOIA. These requests are substantially costlier and more time-consuming than those which identify the particular documents or information sought by the requestor.

The amount of fees collected for making records available was approximately \$1,735.10. These costs are, in effect, only partial reimbursement for the true costs incurred in providing information. During fiscal year 1979, for example, the Board estimated that \$35,700 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

In *American Airlines v. National Mediation Board*¹ the United States Court of Appeals for the Second Circuit issued an important ruling in a case of first impression. The Court held that the number of authorization cards submitted to the National Mediation Board by an applicant or intervenor in a representation proceeding to satisfy the NMB's showing of interest requirement is exempt from disclosure under the Freedom of Information Act². The Court additionally ruled that the showing of interest requirement was not a condition precedent to the

NMB's investigation pursuant to Section 2, Ninth of the Railway Labor Act³.

The strong deference to the NMB's discretion in representation matters was re-emphasized in the case of *Air Canada v. National Mediation Board*.⁴ In denying the Carrier's request to enjoin the Board from conducting a representation election among Air Canada's fleet and passenger service employees, the court held in part that juridical review of NMB representation actions is available only for instances of "constitutional dimension" or "gross violation of the statute". The court further held that the validity of the showing of interest is exclusively an administrative determination and may not be subject to challenge by litigation.

Adjustment Board Proceedings

The case of *Brotherhood of Railway, Airline, and Steamship Clerks v. Kansas City Terminal Railroad Company*⁵ enunciated two important propositions of law. First, the Court clarified what had been inferred from earlier cases that awards of special boards of adjustment created by agreement of the parties pursuant to Section 3, Second of the Railway Labor Act⁶ are reviewable as well as enforceable. Secondly, the Court held that upon such review the test to determine whether the adjustment Board exceeded its jurisdiction is whether the award draws its essence from the collective bargaining agreement.

*Union Pacific Railroad Company v. Sheehan*⁷ was a significant decision narrowing the grounds for disturbing adjustment board awards under the Railway Labor Act. The National Railroad Adjustment Board had determined that the claim before it was time-barred under the applicable collective bargaining agreement. The U.S. Supreme Court, in refusing to set aside the NRAB's award, held that juridical review of NRAB decisions is limited to the three specific statutory grounds provided by Section 3, First (q) of the Act.⁸

¹588 F.2d 863 (2 Cir. 1978).

²5 U.S.C. 552(b) (4).

³45 U.S.C. §152, Ninth.

⁴478 F. Supp. 615 (S.D. N.Y. 1979).

⁵587 F. 2d 903 (8 Cir. 1978).

⁶45 U.S.C. §153, Second.

⁷439 U.S. 89 (1978).

⁸45 U.S.C. §153, First (q).

⁹45 U.S.C. §153, First (j).

¹⁰597 F.2d 40 (3 Cir. 1979).

¹¹472 F. Supp. 104 (S.D.N.Y. 1979).

¹²45 U.S.C. §156.

Section 3, First (j) of the Railway Labor Act⁹ was passed upon by the United States Court of Appeals for the Third Circuit in *Godich v. Union Railroad Company*.¹⁰ There a public law board rehearing a case upon remand from a federal District Court to determine whether the claimant had been denied his right to counsel, as guaranteed by Section 3, First (j), failed to notify the claimant or the attorney should have requested to appear at the rehearing, the Court held that the employee had not received adequate notice of the rehearing, also required by Section 3, First (j).

Other Significant Rulings

In *Iberia Airlines v. National Mediation Board*¹¹, another case of first impression, the Court held that the ten-day proviso in Section 6 of the Railway Labor Act¹² is a strict period of limitations. Unless the mediatory services of the NMB are invoked in Section 6, maintenance of the status quo is not required and either party is free to engage in self help. Subsequent invocation of the NMB's services will not effectuate a restoration of the status quo.

Office of Computer Systems Established

The Board decided in fiscal 1978 to automate its system of data collection, identification, location and retrieval. It was determined that an automated system would be cost effective and in many cases indispensable to meet the current and future needs of the agency.

In October 1979 the Board released a Request for Proposals (RFP) to solicit bids for the needed computer support. The objective was to obtain through one contractor all hardware, software, data entry and other services necessary to implement the Board's automatic data processing system. During the period in which the technical proposals were being reviewed, the Board reexamined its computer requirements and decided to cancel the RFP.

Based on an evaluation of feasible options, the Board has decided to procure its own computer system and has established an Office of Computer Systems to implement its system during Fiscal Year 1980. Startup and conversion problems are expected, but in the long run, the NMB will have a powerful tool available to its staff.



▶WORKING TOWARD NEW LABOR RELATIONS GOALS—Key rail union and management leaders meet with the National Mediation Board in an informal setting to exchange views on a number of labor related issues at a spring conference. Then NMB Chairman David H. Stowe, welcoming the attendees at the opening session, is joined at the head table by (left to right) James E. Yost, Railway Employees' Department President; John Peterpaul, Vice President of the International Association of Machinists and Aerospace Workers; Charles I. Hopkins, Jr., National Railway Labor Conference Chairman and present NMB Chairman Robert O. Harris (see item next page).

Railroad Conference Works Toward New Labor Relations Goals

It was a unique conference as key rail union and management leaders came from all parts of the country to join the National Mediation Board at St. Simons Island, Georgia, to work toward new labor relations goals.

Some 200 persons attended the "Railroad Industry Conference" on April 29-May 2, 1979, to discuss problems of mutual interest involving the industry and to exchange views on a number of labor related issues. It was unique in the fact that it brought the parties together following a successful, strike-free round of national rail bargaining—all but one major union had settled with the nation's railroads at the time.

Secretary of Labor Ray Marshall, the key note speaker, referred to the non-controversial atmosphere and the two years of breathing room between contract revision periods. This, he said, was the ideal time for rail management and labor, away from the heated arguments and sometimes bitterness associated with the bargaining table, to meet in the hope that positive ideas and new approaches would flow from these sessions and be meaningful to both sides in the 1981 round of negotiations.

Charles I. Hopkins, Jr., National Railway Labor Conference Chairman; James E. Yost, Railway Employees' Department President and Chairman of the Railway Labor Executives Association's Railway Labor Act Committee, and David H. Stowe, then NMB Chairman, were opening day speakers. Welcoming the group was John Peterpaul, Vice President of the International Association of Machinists and Aerospace Workers and RLEA Chairman.

Panels were comprised of at least four members—two each from the unions and the carriers. Subjects discussed ranged from NMB functions and procedures and certain problems faced in bringing the parties together in mediation to the role of contract interpretation committees and grievance machinery associated with the National Railroad Adjustment Board, Public Law Boards and Special Boards of Adjustment.

Emphasis was also placed on labor relations training programs. This topic was of great importance to the parties who believe it is essential to have highly skilled negotiators at the table during contract talks to insure fair and reasonable settlements satisfactory to both sides.

The success of the Conference may be gauged on the attendees who unanimously urged that similar sessions be planned in the future. One participant



LABOR AND MANAGEMENT SHOULDER TO SHOULDER—Individual speakers and panels comprised of rail union and carrier officials discuss a variety of labor relations topics and problems of mutual interest during the 2½-day meeting attended by approximately 200 persons.



LEADERS GATHER—Enjoying a coffee break between business sessions are (left to right) Mr. Peterpaul, NMB Board Member George S. Ives, Mr. Hopkins, Secretary of Labor Ray Marshall, conference keynote speaker; and Messrs. Harris, Yost and Stowe.

said the value of the meeting was that the different bargaining factions could “get together, work together and pull together in an effort to achieve their goals in the best interests of the industry and the country.”

Rule-Making Activities

The National Mediation Board has made it a policy to limit rule-making activities only 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 year 1979.

Rules of Procedure

On February 19, 1979, the Board published an amendment to the NMB rules of procedure to establish a new Section 1202.15 pertaining to the length of briefs in NMB hearing proceedings.¹ Section 1202.15 provides, in essence, that principal briefs shall not exceed 50 pages in length, and reply briefs 25 pages in length. Upon timely request to the Board, a partial waiver may be granted for good cause. The Board may require that a summary of argument be filed as a condition of such partial waiver. Briefs not complying with the requirements of Section 1202.15 will be returned to their initiators.

Section 1202.15, which is codified at Title 29, Code of Federal Regulations, Section 1202.15, became effective upon publication.

¹44 F. R. 10601

²44 F. R. 10602



LABOR NEGOTIATIONS AIRED—Discussing collective bargaining procedures under the Railway Labor Act as they pertain to national rail bargaining are (left to right) Ed McCulloch, Brotherhood of Locomotive Engineers' National Legislative Representative, BLE Vice President William Wanke, Secretary Marshall and Mr. Yost.

Representation Disputes

Section 1206.4 of the NMB Rules, which relates to the time limits for filing representation applications, was amended during fiscal year 1979. The revised final regulation was published in the *Federal Register* on February 19, 1979, and became effective on that date.² The regulation is codified at 29 C.F.R. §1206.4.

Essentially, the amendments to Section 1206.4 provide that the time limits on filing NMB representation applications are applicable regardless of whether or not the employees covered by the application are represented for purposes of collective bargaining. Prior to the amendment, applications pertaining to unrepresented employees were exempted from the filing time limits.

The amendments to Section 1206.4 did not revise the time periods previously provided by the rule. Under Section 1206.4, except in unusual or extraordinary circumstances, the Board will not accept a representation application covering the same craft or class on the same carrier for two years following certification of the craft or class, or one year following a dismissal on certain grounds.

Other Types of Interest Arbitration Cases

As stated earlier, interest arbitration insures final and binding 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 matter were:

(a) Switching limits

(b) Interdivisional service

Following are 55 arbitration cases that have emanated from these national agreements:

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	Southern Pacific Transportation Co. (Texas and Louisiana lines)	United Transportation Union (C&T)	Interdivisional service
317	The Chesapeake & Ohio Ry. Co.	Brotherhood of Locomotive Engineers	Switching limits
318	The Chesapeake & Ohio Ry. Co.	United Transportation Union (E&T)	Switching limits
319	The Central RR Co. of New Jersey	Brotherhood of Locomotive Engineers	Switching limits
320	The Central RR Co. of New Jersey	United Transportation Union	Switching limits
322	Soo Line RR Co.	United Transportation Union	Interdivisional service
323	St. Louis-San Francisco RR Co.	Brotherhood of Locomotive Engineers	Interdivisional service
325	Denver & Rio Grande Western Ry. Co.	United Transportation Union	Interdivisional service and switching limits
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 & Santa 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.	United Transportation Union (C&E&T)	Switching limits
334	Penn Central Transportation Co.	United Transportation Union (C&E&T)	Switching limits
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	Switching limits
339	Penn Central Transportation Co.	United Transportation Union (E)	Switching limits
340	Green Bay & Western RR Co.	United Transportation Union	Protection of employees
342	Erie Lackawanna Ry. Co.	United Transportation Union (T)	Protection of employees
343	Penn Central Transportation Co.	United Transportation Union	Switching limits
344	Penn Central Transportation Co.	United Transportation Union	Switching limits
346	Norfolk & Western Ry. Co.	United Transportation Union (E&C&T)	Interdivisional service
347	Western Pacific RR Co.	Brotherhood of Locomotive Engineers	Switching limits
348	Reading Co.	Brotherhood of Locomotive Engineers	Switching limits
349	Lehigh Valley RR Co.	Brotherhood of Locomotive Engineers	Switching limits
351	St. Louis-San Francisco Ry. Co.	United Transportation Union	Protection of employees

**Arbi-
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Board**

No.	Carrier	Organization	Issue
352	Norfolk & Western Ry. Co.	United Transportation Union	Interdivisional service
353	Lehigh Valley RR Co.	United Transportation Union	Switching limits
354	Reading Co.	Brotherhood of Locomotive Engineers	Switching limits
356	Southern Pacific Transportation Co.	Brotherhood of Locomotive Engineers	Switching limits
357	Penn Central Transportation Co.	Brotherhood of Locomotive Engineers	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.	Brotherhood of Locomotive Engineers	Switching limits
361	Atchison Topeka & Sante Fe Ry. Co.	United Transportation Union	Switching limits
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
378	Illinois Central Gulf RR Co.	Brotherhood of Locomotive Engineers	Switching limits
379	Grand Trunk Western RR Co.	United Transportation Union	Switching limits
380	Illinois Central Gulf RR Co.	United Transportation Union (C&T&E)	Switching limits
381	Illinois Central Gulf RR Co.	United Transportation Union	Switching limits
382	Norfolk & Western Ry. Co.	United Transportation Union	Protection of employees
383	Consolidated Rail Corporation	United Transportation Union	Switching limits

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.	United Transportation Union	Interdivisional service
3	Lehigh Valley RR Co.	United Transportation Union	Interdivisional service
4	Baltimore & Ohio RR Co.	United Transportation Union	Interdivisional service
5	Southern Ry. Co.	United Transportation Union	Interdivisional service
	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.	United Transportation Union	Interdivisional service
7	Missouri Pacific RR Co.	United Transportation Union	Interdivisional service
8	Chicago, Rock Island & Pacific RR Co.	United Transportation Union	Interdivisional service
9	Norfolk & Western Ry. Co.	United Transportation Union	Interdivisional service
10	Chessie System	United Transportation Union	Interdivisional service
11	Grand Trunk Western RR Co.	United Transportation Union	Interdivisional service
12	Southern Ry. Co.	United Transportation Union	Interdivisional service
13	Detroit & Mackinac Ry. Co.	United Transportation Union	Interdivisional service
14	Seaboard Coast Line RR Co.	United Transportation Union	Interdivisional service
15	Delaware & Hudson Ry. Co.	United Transportation Union	Interdivisional service
16	Delaware & Hudson Ry. Co.	United Transportation Union	Interdivisional service
17	Norfolk & Western Ry. Co.	United Transportation Union	Interdivisional service
18	Delaware & Hudson Ry. Co.	United Transportation Union	Interdivisional service
19	Delaware & Hudson Ry. Co.	United Transportation Union	Interdivisional service

New Volume Contains Over 460 NMB Determinations

"Determinations of the National Mediation Board" was the sixth in a series published by the NMB. Volume 6 covers determinations of craft or class, as well as other significant determinations of the Board relating to Section 2, Ninth of the Railway Labor Act. Each determination carries a 6 NMB number. This is the largest such volume ever to be published by the Board and contains a total of 463 determinations. Volume 6 covers the period from July 1, 1976 through June 30, 1979.

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. Subsection (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 1979 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 served as the Chairman of the Operations Review Panel during fiscal year 1979.

The activities of the Operations Review Panel during the year included a conference of the Panel's membership to review the current status of their functions and to assess those matters to come before them in the future.



III. Representation Case Developments

A number of important representation cases were resolved by the Board in fiscal 1979. Some of these cases, involving significant policy decisions, are summarized below:

Mergers and Consolidations

In the *Republic Airlines* decision, the Board enunciated a new policy regarding representation disputes following mergers of air carriers. The case arose when *North Central* and *Southern* merged to form Republic, effective July 1, 1979. International Association of Machinists and Aerospace Workers, AFL-CIO represented the craft or class of Mechanics and Related Employees on North Central, and was voluntarily recognized as their representative on Republic. Aircraft Mechanics Fraternal Association represented the same craft or class on Southern.

Under the policy announced, any application to represent employees on the merged carrier must be supported by a showing of interest, either dues check-off authorizations or authorization cards.

If no union has been recognized, the showing of interest will be 35%. If a union has been recognized, any *other* union which represented the craft or class on any carrier involved in the merger must submit a 35% showing (instead of the majority showing normally required) within 60 days of the date the Civil Aeronautics Board approves the merger. Any application submitted more than 60 days after the CAB approval must have a majority showing of interest.

Similar cases are expected as air carriers merge to take advantage of the Airline Deregulation Act during this very competitive era.

Movement to Interstate Carriage

The Board announced a new policy shortly after the close of fiscal 1979 regarding intrastate carriers whose operations expand to interstate carriage, in a case involving *Air Florida* and IAM&AW. IAM&AW

sought to transfer its National Labor Relations Board certification as exclusive representative of mechanics and stock clerks in Miami to an NMB certification of the system-wide crafts or classes of Mechanics and Related Employees and Stock Clerks.

IAM&AW contended an automatic transfer was necessary whenever a carrier became subject to the Railway Labor Act to protect employee rights. The union further asserted there was no representation dispute because the employees had already voted for the IAM&AW in the NLRB-supervised election.

The NMB reiterated its long-standing position that the concept of representation of crafts or classes is inherently dissimilar from that of representation of employees in an appropriate bargaining unit. In addition, the Board found that, in the circumstances of this case, there was no loss of rights or protection because the carrier had continued the terms of collective bargaining agreement and had negotiated changes to bring it into conformity with the Act (such as union shop).



TRANSFER OF CERTIFICATION—Past President Patricia Robertson Miller of the Association of Flight Attendants delivers employee authorization cards to the National Mediation Board to effect a transfer of certification for representation from the Air Line Pilots Association to the newly independent AFA. Meeting with her are (left) Rowland K. Quinn, Jr., NMB Executive Secretary, and David H. Stowe, then NMB Chairman.

In the future, a union which is recognized or holds NLRB certification on a carrier not subject to the Railway Labor Act may, when the carrier becomes subject to the Act, submit a copy of its collective bargaining agreement in lieu of authorization cards or dues deductions. The Board will thereafter follow its normal representation procedures and conduct an election.

Elections

In *Air Canada*, a test case is being made challenging the eligibility to vote of dismissed employees suing for reinstatement. Board rules permit discharged employees, who are actively challenging their dismissal, to vote in elections. The carrier sued the Board in Federal Court to prevent the Board from conducting the election or counting the dismissed employees' ballots, and the judge decided against the carrier. The judge's decision actually expanded the Board's powers, and stated that the harm which would result from halting the election outweighed any possible harm to *Air Canada*. The carrier's appeal of this ruling was rejected by the Court of Appeals. A decision on the merits of the carrier's suit against the Board is still pending.

Exclusions From Craft or Class

The Board has long maintained that it alone has the authority to determine which employees are part of a *certified* craft or class on a carrier. In a case involving *Braniff International*, the Board restated its position. In this case, the parties agreed to exclude certain employees from the scope of the agreement, and permitted those employees to transfer to positions remaining in the craft or class.

The Board held that the parties to a collective bargaining agreement may not exclude employees from the protection and rights inherent in membership in a certified craft or class. Furthermore, employees may not waive their membership in a craft or class once the Board has determined which employees are part of the craft or class.

This ruling does not affect *voluntary* recognition agreements, where the parties may determine the scope of coverage for themselves.

Subordinate Officials

The Railway Labor Act affords collective bargaining rights to "employees or subordinate officials", but does not extend to management officials at higher levels.

Attempts to organize subordinate officials are increasing. In two cases involving *National Airlines* and *Allegheny Airlines*, the Board found that the personnel were carrier management officials. In a third case, *Aloha Airlines*, the Board found that some were management officials and some were not.

Line maintenance foremen and maintenance base foremen were held to be management officials in *National* and *Allegheny*. The most important criteria used in deciding these cases are actual authority to hire, evaluate, promote, discipline, or discharge employees; direct work of employees through leads; resolve grievances; and call overtime.

In *Aloha*, maintenance supervisors, customer service managers, and supervisors of central reservations control were deemed management officials. However, other reservations and sales supervisors, station commissary, and claims managers, were employees or subordinate officials because of their limited role in policy or hiring.

Such cases are among the most difficult due to the need to examine the actual duties and responsibilities of these employees, and not to rely on descriptions alone.

R-1706 Categories

The Board has followed a policy during past several years of closely examining the class or craft of Clerical, Office, Fleet and Passenger Service Employees, first set forth in the famous R-1706 decision. Based upon the historical experience in the airline industry, the R-1706 grouping will apparently be less significant in the future.

Community of interest, degree of functional integration among job classifications, interchange of personnel between classifications; commonality of working conditions, wages, and fringe benefits; and basic job skills required are all examined to determine whether the R-1706 groups should be separated.

Thus, in cases involving *Lanica* and *Columbia Pacific Airlines*, the Board found that the Clerical, Office Fleet and Passenger Service craft or class was proper. In each case, the total number of employees in the craft or class was less than fifty. Both cases show a high degree of cross-utilization of employees, with many employees performing a dual function. Fringe benefits were the same for all employees, and there had been transfers from one job to another.

In the *China Airlines* and *Air Canada* representation cases, the Board separated Fleet and Passenger Service Employees from Clerical Office Employees.

These cases relied upon the distinctly different nature of work performed. There was much less over-lap or transfer of employees between jobs. Even where there was a single pay plan, clerical employees were limited to the lower range, while passenger service employees were in the higher range. Finally, on *China*, the carrier recruited people with specific skills for specific jobs, rather than hiring people with general skills and assigning them as needed. These cases each involved several hundred employees.

Four recent cases involving *Allegheny Airlines*, *Eastern Air Lines*, *American Airlines*, and *Trans World Airlines* have found Passenger Service Employees to constitute a proper craft or class. Each case involved a craft or class with several thousand employees.

The factors which led the Board to find a separate Passenger Service craft or class were: different hiring criteria; formal training programs for Passenger Service, but none for Clerical Office employees; round-the-clock shift work for 7 days per week for Passenger Service employees and regular 9-5 work day 5 days per week for Clerical Office employees; different performance standards, and few transfers between Clerical Office and Passenger Service.

It should be noted the Board looks at the principal duties of the classifications involved, and that incidental clerical duties will not lead to a consolidated Clerical Office Passenger Service craft or class. The distinguishing feature of Passenger Service is that it is customer-oriented, while Clerical Office deals with the internal administrative functions of the carrier.

In a *Royal Hawaiian* case, the Board found that Fleet Service Employees and Passenger Service Employees should be a single craft or class, and that the

Office Clerical Employees should be another craft or class. This is another case involving a small carrier with a high degree of functional integration among job classifications. However, the Office Clerical was sufficiently different in terms of working conditions and duties to be segregated from the Fleet and Passenger Service Employees.

Miscellaneous Crafts or Classes

In a *Frontier Airlines* representation case, the Board recognized the craft or class of Engineering and Related Employees. This group consists of various kinds of engineers, draftsmen, statisticians, and quality control analysts on airlines. These employees are high level technical experts or advisors to management who do not possess the authority and independence in day-to-day carrier operations to make them officials. Although many of these employees were formerly mechanics, and have worked their way up, they do not possess the necessary community of interest with mechanics to warrant their inclusion in the Mechanics and Related craft or class. The numbers of the Engineering and Related craft or class are office workers who receive different pay and fringe benefits; they travel on behalf of the carrier; and they receive special training.

In a case involving *Western Airlines*, the Board found that the carrier's Flight Operations Training Department constituted a craft or class for representation purposes. These flight instructor-ground employees trained students on flight simulators, performed proficiency checks, and gave recurrent training.



IV. Record of Cases

Closed Cases Approach 15,400 Mark

The National Mediation Board's aggregate number of closed cases approached 15,400 in fiscal 1979—15,388 to be exact. The case distribution included 10,275 mediation, 4,966 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, a preliminary investigation is conducted to develop or verify the required information. Later, where conditions warrant, the application may be assigned to a mediator for field handling.

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

New Cases Docketed

As Table 1 indicates, there were 318 new cases docketed in fiscal year 1979. Except for the previous fiscal year this was the largest number of cases docketed by the Board in the past decade. The figure

reveals an increase in representation and a decrease in mediation cases. No new interpretation cases were docketed.

Disposition of Cases

A number of difficult and complex dispute issues in the railroads and airlines resulted in many additional hours of time for the NMB staff in bringing cases to a close in 1979. Table 1 shows 259 cases of all types disposed of in this fiscal year as compared to 287 cases closed in 1978.

Major Groups of Employees Involved in Various Cases

Some 20,790 employees were involved in 119 representation cases closed in fiscal 1979, as indicated in Table 2. This represents an increase over fiscal 1978's 105 representation cases affecting 15,729 employees. Resolution of 59 airline representation disputes covered 16,841 employees while, in the railroads, 3,949 workers were involved in the disposition of 60 representation cases. Actually, there were more representation cases closed in the railroads and airlines in fiscal 1979 than in any year since 1955.

Table 3 reveals that of the 259 representation and mediation cases closed, employees in the railroads were involved in 142 and those in the airlines, 117.

In the railroad industry, the greatest activity was among train, engine and yard service employees with a total of 57 cases, including 19 representation and 38 mediation disputes.

In the airline industry, Table 3 indicates clerical, office, fleet and passenger service employees were involved in the most disputes—25 representation and 8 mediation cases. They were followed in case disposition by the Mechanics and Related, 9 representation and 13 mediation; airline pilots, 10 representation and 9 mediation; and the flight attendants, 4 representation and 8 mediation.



ON THE JOB—In the past quarter century more than 508,500 airline and railroad workers have been involved in over 2,400 separate craft or class determinations. Some 1,477 of those cases resulted in certification of employee representatives by the Board—876 in the railroads and 601 in the airlines.

Table 4 is a summary of crafts or classes of employees involved in representation cases closed out in fiscal year 1979. Involved in a total of 119 closed cases—60 railroads, 59 airlines—were 120 craft or class determinations covering 20,790 employees. The overwhelming number of employees seeking representation were in the airlines, covering 16,841 of the 20,790 persons involved. In the past quarter century more than 508,500 airline and railroad workers have been involved in over 2,400 separate craft or class determinations.

Record of Mediation Cases

In the last 25 years, the Board has closed out 6,207 mediation cases—4,670 in the railroads and 1,537 in the airlines. As to the current fiscal year, the Board docketed 203 mediation cases and, with the carry-over, there were 391 cases still pending at the beginning of the fiscal year. The Board disposed of 140 disputes leaving 251 mediation cases unsettled at the end of fiscal 1979.

Election and Certification of Representatives

Table 2 shows that 9,101 employees actively participated in the outcome of 119 representation disputes. Certifications were issued in 56 cases—32 in the railroads and 24 in the airlines. Of the 32 railroad

cases, 32 crafts or classes were involved among 3,464 employees. Some 1,348 of those employees participated in the selection of a representative. Of the 24 airline cases, 24 crafts or classes were involved among 3,250 employees, of whom 2,656 participated in the elections. The Board dismissed 63 cases, 28 in the railroads and 35 in the airlines.

Table 5 shows there were no certifications based on verification of authorization cards issued in fiscal 1979, as compared to five issued in the railroad industry in 1978. There were 150 employees in 18 crafts or classes acquiring representation for the first time in an election by a national labor organization in the railroads, also shown in Table 5. In the airlines, 1,142 employees in 17 crafts or classes were represented for the first time through a national organization election.

In the railroads, a new representative was selected by 233 employees in 2 crafts or classes via an election by a national organization. In the airlines, a new representative was selected by 613 employees in 3 crafts or classes through election procedures. Also, in the airlines, 1,312 employees in 1 craft or class retained their same national organization following a challenge by another union.

In elections in the railroad industry, 2,893 employees in 4 crafts or classes retained their same national organization following challenges by other unions. There were no employee representation challenges by a national rail organization in the previous fiscal year.

Table 1—Number of Cases Received and Closed Out During Fiscal Years 1935-1979

Status of Cases	45-Year Period 1935-1979	1979	1978	1977	Transition Quarter	1976	1975	1970-74 5-Year Period (Avg.)	1965-69 5-Year Period (Avg.)	1960-64 5-Year Period (Avg.)	1955-59 5-Year Period (Avg.)
All Types of Cases											
Cases pending and un- settled at beginning of period	96	243	205	222	214	285	279	447	472	248	202
New cases docketed . . .	15,594	318	325	281	77	292	304	300	394	302	413
Total cases on hand and received	15,690	561	530	503	291	577	583	747	866	550	615
Cases disposed of	15,388	259	287	298	69	363	298	339	356	289	401
Cases pending and unsettled at end of period	302	302	243	205	222	214	285	408	510	261	214
Representation Cases											
Cases pending and un- settled at beginning of period	24	55	33	40	37	23	19	11	22	17	22
New cases docketed . . .	4,993	115	127	105	31	107	68	76	82	62	100
Total cases on hand and received	5,017	170	160	145	68	130	87	87	104	79	122
Cases disposed of	4,966	119	105	112	28	93	64	74	82	62	102
Cases pending and unsettled at end of period	51	51	55	33	40	37	23	13	22	17	20
Mediation Cases											
Cases pending and un- settled at beginning of period	72	188	171	182	177	261	259	435	447	228	173
New cases docketed . . .	10,454	203	198	172	46	183	232	221	309	235	304
Total cases on hand and received	10,526	391	369	354	223	444	491	656	756	463	477
Cases disposed of	10,275*	140	181	183	41	267	230	261	271	221	290
Cases pending and unsettled at end of period	251	251	188	171	182	177	261	395	485	242	187
Interpretation Cases											
Cases pending and un- settled at beginning of period	0	0	1	0	0	1	1	2	3	3	6
New cases docketed . . .	142	0	0	3	0	2	4	2	3	5	9
Total cases on hand and received	142	0	1	3	0	3	5	4	6	8	15
Cases disposed of	142	0	1	2	0	3	4	3	3	5	8
Cases pending and unsettled at end of period	0	0	0	1	0	0	1	1	3	3	7

*This figure does not include reopened and reclosed cases.

**Table 2—Representation Cases Disposition By Craft or Class, Employees Involved and Participating,
October 1, 1978 to September 30, 1979**

	Railroads				Airlines			
	No. of Cases	No. of Crafts or Classes	No. of Employees Involved	No. of Participating Employees	No. of Cases	No. of Crafts or Classes	No. of Employees Involved	No. of Participating Employees
Total	60	60	3,949	1,833	59	60	16,841	7,268
Disposition:								
Certification	32	32	3,464	1,348	24	24	3,250	2,656
Dismissals	28	28	485	485	35	36	13,591	4,612
Total Railroad and Airline Cases	119		20,790	9,101				

**Table 3—Number of Cases Closed By Major Groups of Employees
October 1, 1978 to September 30, 1979**

	Number Of—			
	All Types of Cases	Represent- ation Cases	Mediation Cases	Interpre- tation Cases
Grand Total, All Groups of Employees	259	119	140	0
Railroad Total	142	60	82	0
Combined Groups, Railroad	0	0	0	0
Train, Engine, and Yard Service	57	19	38	0
Supervisors or Foremen in Maintenance of Equipment Department	6	6	0	0
Mechanical Foremen and/or Supervisors of Mechanics	5	0	5	0
Maintenance of Equipment	7	5	2	0
Clerical, Office, Station and Storehouse	6	3	3	0
Yardmasters	2	1	1	0
Maintenance of Way and Signal	13	7	6	0
Subordinate Officials in Maintenance of Way	2	1	1	0
Agents, Telegraphers, and Towermen	1	1	0	0
Train Dispatchers	5	1	4	0
Technical Engineers, Architects and Draftsmen, etc.	4	4	0	0
Dining Car Employees, Train and Pullman Porters	0	0	0	0
Patrolmen and Police Officers	9	7	2	0
Marine Servicemen	7	0	7	0
Miscellaneous Railroad	18	5	13	0
Airline Total	117	59	58	0
Combined Groups, Airline	7	0	7	0
Mechanics and Related	22	9	13	0
Radio and Teletype Operators	1	0	1	0
Clerical, Office, Fleet and Passenger Service	33	25	8	0
Flight Attendants	12	4	8	0
Pilots	19	10	9	0
Airline Dispatchers	4	2	2	0
Meteorologists	0	0	0	0
Stock and Stores	5	1	4	0
Flight Engineers	1	0	1	0
Flight Navigators	0	0	0	0
Flight Kitchen and Commissary Employees	0	0	0	0
Guards	0	0	0	0
Miscellaneous Airline	13	8	5	0

Table 4—Number of Crafts or Classes and Number of Employees Involved in Representation Cases, by Major Groups of Employees, October 1, 1978 to September 30, 1979

Major Groups of Employees	Number of Cases	Number of Crafts or Classes	Employees Involved	
			Number	Percent
Grand Total, All Groups of Employees	119	120	20,790	100
Railroad Total	60	60	3,949	16
Dining Car Employees, Train and Pullman Porters	0	0	0	0
Engine Service	9	9	91	*
Train Service	8	8	13	*
Yard Service	2	2	171	*
Supervisors and/or Foremen in Maintenance of Equipment Department	6	6	2,572	12
Mechanical Department Foremen and/or Supervisors of Mechanics	0	0	0	0
Maintenance of Equipment	5	5	29	*
Clerical, Office, Station, and Storehouse Employees	3	3	25	*
Yardmasters	1	1	7	*
Maintenance of Way and Signal	7	7	852	4
Subordinate Officials, Maintenance of Way	1	1	2	*
Agents, Telegraphers, and Towermen	1	1	0	0
Train Dispatchers	1	1	0	0
Technical Engineers, Architects, Draftsmen and Allied Workers	4	4	31	*
Patrolmen and Police Officers	7	7	144	*
Marine Service	0	0	0	0
Combined Groups, Railroad	0	0	0	0
Miscellaneous, Railroad	5	5	12	*
Airline Total	59	60	16,841	80
Mechanics and Related Employees	9	9	1,832	8
Flight Navigators	0	0	0	0
Clerical, Office, Fleet and Passenger Service Employees	25	26	14,044	67
Stock and Stores Employees	1	1	1	*
Flight Attendants	4	4	608	3
Pilots	10	10	319	2
Flight Engineers	0	0	0	0
Airline Dispatchers	2	2	16	*
Commissary Employees	0	0	0	0
Radio and Teletype Operators	0	0	0	0
Meteorologists	0	0	0	0
Combined Groups, Airline	0	0	0	0
Miscellaneous, Airline	8	8	21	*

*Less than 1 percent.

Table 5—Number of Crafts or Classes Certified and Employees Involved in Various Types of Representation Cases, October 1, 1978 to September 30, 1979

	Certification Issued To —								
	National Organizations			Local Unions			Total		
	Craft or Class	Employees Number	Involved Percent	Craft or Class	Employees Number	Involved Percent	Craft or Class	Employees Number	Involved Percent
RAILROADS									
Representation Acquired:									
Elections	19	2,198	32.7	2	2	*	21	2,200	32.8
Proved Authorizations	0	0		0	0		0	0	
Representation Changed:									
Elections	2	233	3.5	6	186	2.8	8	419	6.2
Proved Authorizations	0	0		0	0		0	0	
Representation Unchanged:									
Elections	3	845	12.6	0	0	0.0	3	845	12.6
Proved Authorizations	0	0		0	0		0	0	
Total, Railroad	24	3,276	48.8	8	188	2.8	32	3,464	51.6
AIRLINES									
Representation Acquired:									
Elections	17	1,142	17.0	0	0	0.0	17	1,142	17.0
Proved Authorizations	0	0		0	0		0	0	
Representation Changed:									
Elections	3	613	9.1	3	183	2.7	6	796	11.9
Proved Authorizations	0	0		0	0		0	0	
Representation Unchanged:									
Election	1	1,312	19.5	0	0	0.0	1	1,312	19.5
Proved Authorizations	0	0		0	0		0	0	
Total, Airline	21	3,067	45.7	3	183	2.7	24	3,250	48.4
Total, Combined Railroad and Airline	45	6,343	94.5	11	371	5.5	56	6,714	100.0

*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, 1979

Railroad	Firemen and			Brakemen, Flagmen, and		Yard- Foremen, Helpers, and Switch-tenders		Clerical Office, Station, and Store-house		Maintenance of Way		Telegraphers	Dispatchers
	Engineers	Hostlers	Conductors	Baggagemen			Yardmasters			Employees			
Alabama Great Southern RR Co.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Atchison, Topeka & Santa Fe Ry.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Baltimore & Ohio RR	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Bessemer & Lake Erie RR	UTU	UTU	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	X		
Boston & Maine Corp.	BLE	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Burlington Northern	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Central of Georgia Ry. Co.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Chesapeake & Ohio Ry. Co.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Chicago & North Western Transportation Co.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Chicago, Milwaukee, St. Paul & Pacific RR Co.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Chicago, Rock Island & Pacific Ry.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Cincinnati, New Orleans and Texas Pacific Ry. Co.	UTU	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Clinchfield RR	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Colorado & Southern Ry.	BLE	BLE	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	ATDA		
Consolidated Rail Corp.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Delaware & Hudson Ry. Co.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Denver & Rio Grande Western RR	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Detroit, Toledo & Ironton RR	BLE	UTU	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA		
Duluth, Missabe & Iron Range Ry.	UTU	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Elgin, Joliet & Eastern Ry.	BLE	UTU	UTU	UTU	UTU	UTU	UTU	BRAC	BMW	BRAC	LU		
Florida East Coast Ry.	FFRE	X	FFRE	FFRE	X	FFRE	FFRE	FFRE	FFRE	FFRE	FFRE		
Fort Worth & Denver Ry.	BLE	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Grand Trunk Western RR Co.	BLE	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Illinois Central Gulf RR Co.	BLE	UTU	UTU	UTU	UTU	UTU	SA	BRAC	BMW	BRAC	ITDA		
Kansas City Southern Ry.	BLE	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Long Island RR	BLE	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	IBT	BRAC	ARSA		
Louisville & Nashville RR	BLE	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Michigan Interstate Ry. Co.	BLE	BLE	UTU	UTU	UTU	UTU	ARSA	BRAC	BMW	BRAC	ATDA		
Missouri-Kansas-Texas RR	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Missouri Pacific RR	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
National RR Passenger Corp.	(*)	(*)	(*)	(*)	(*)	(*)	RYA	BRAC	BMW	BRAC	ATDA		
Norfolk & Western Ry.	BLE	UTU	UTU	UTU	UTU	UTU	X	BRAC	BMW	BRAC	ATDA		
Pittsburgh & Lake Erie RR	BLE	BLE	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
St. Louis-San Francisco Ry.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
St. Louis Southwestern Ry.	BLE	BLE	UTU	UTU	UTU	UTU	WRSA	BRAC	BMW	BRAC	ATDA		
Seaboard Coast Line RR	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Soo Line RR	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	(*)		
Southern Pacific Transportation Co.	BLE	UTU	UTU	UTU	UTU	UTU	WRSA	BRAC	BMW	BRAC	ATDA		
Southern Ry.	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Union Pacific RR	BLE	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	LU		
Western Maryland Ry.	UTU	UTU	UTU	UTU	UTU	UTU	RYA	BRAC	BMW	BRAC	ATDA		
Western Pacific RR	BLE	BLE	UTU	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, 1979—Continued

Railroad	Machinists	Boiler-makers and Black-smiths	Sheet Metal Workers	Electrical Workers	Carmen and Coach Cleaners	Power House Employees and Shop Laborers	Mechanical Foremen and Signalmen Supervisors	Dining Car Stewards	Dining Car Cooks and Waiters
Alabama Great Southern RR Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	BRAC
Atchison, Topeka & Santa Fe Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS (*)	UTU	(*)
Baltimore and Ohio RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	RED	UTU
Bessemer & Lake Erie RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS (*)	(*)	(*)
Boston & Maine	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	SA
Burlington Northern	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)
Central of Georgia Ry. Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)
Chesapeake & Ohio Ry. Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Chicago & North Western Transportation Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Chicago, Milwaukee, St. Paul and Pacific RR Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	MRSA	UTU
Chicago, Rock Island & Pacific Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Cincinnati, New Orleans and Texas Pacific Ry. Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)
Clinchfield RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	(*)
Colorado & Southern Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Consolidated Rail Corporation	IAM&AW	BB	SMWIA	IBEW	BRCA/TWU	IBFO	BRS	ARSA	(*)
Delaware & Hudson Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Denver & Rio Grande Western RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	X	UTU
Detroit Toledo & Ironton RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	BRCA	(*)
Duluth, Missabe & Iron Range Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	MDFA	(*)
Elgin, Joliet & Eastern Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	(*)
Florida East Coast Ry.	FFRE	FFRE	SMWIA	IBEW	FFRE	IBFO	FFRE	ARSA	(*)
Fort Worth & Denver Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	SA	UTU
Grand Trunk Western RR Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Illinois Central Gulf RR Co.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	UTU
Kansas City Southern Ry.	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
Michigan Interstate Ry. 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
Norfolk & Western Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Pittsburgh & Lake Erie RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)
St. Louis-San Francisco Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	(*)	UTU
St. Louis-Southwestern Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	X
Seaboard Coast Line RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
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
Southern Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Union Pacific RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU
Western Maryland Ry.	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	(*)
Western Pacific RR	IAM&AW	BB	SMWIA	IBEW	BRCA	IBFO	BRS	ARSA	UTU

* 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, 1979 (Marine)

Railroad (Marine)	Licensed Deck Employees	Licensed Engineroom Employees	Unlicensed Deck Employees	Unlicensed Engineroom Employees	Captains, Lighters, Grain Boats	Floatwatchmen, Bridgemen, Bridge Operators	Cooks, Chefs, Waiters
Atchison, Topeka & Santa Fe Ry.	MMP	MEBA	IUP	—	—	—	—
Chesapeake & Ohio Ry.:							
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 Ry.	GLLO	MEBA	USWA	USWA	MEBA	—	—

Table 6b.—Employee Representation on Selected Air Carriers as of September 30, 1979

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	AFA	—	IAM&W	ALEA ¹	—
Allegheny Airlines, Inc.	ALPA	—	—	—	AFA	—	IAM&AW	—	IAM&AW
American Airlines, Inc.	ALPA	FEIA	—	TWU	APFA	TWU	TWU	—	TWU
Braniff International	ALPA	—	—	ADA	AFA	IBT	IAM&AW	IBT	IBT
Continental Airlines, Inc.	ALPA	ALPA	—	TWU	UFA, Loc. I	—	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
Northwest Airlines, Inc.	ALPA	IAM&AW	—	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
Republic Airlines, Inc.	ALPA	—	—	TWU	AFA	ALEA	IAM&AW	ALEA	IAM&AW
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	—	IAM&AW	AFA	IAM&AW	IAM&AW	—	IAM&AW
Western Airlines, Inc.	ALPA	ALPA	—	TWU	AFA	BRAC	IBT	BRAC	IBT

¹Passenger Service Employees.

Table 7—Unions 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
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
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
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 in the Railroad and Airline Industries

Ten airline and 3 railroad strikes occurred during fiscal year 1979, most of which were settled with the assistance of the National Mediation Board. Table 8 identifies these work stoppages. Strikes of less than 24 hours are not included. A brief account of the strikes follows:

Airlines:

A-10343—United Airlines, Inc. and International Association of Machinists and Aerospace Workers

The National Mediation Board had worked for months on a virtual non-stop basis to avert a strike by over 18,600 mechanics and related employees on the nation's largest air carrier. This was accomplished in mediation in the public interest as a first tentative agreement between the parties was reached February 2, 1979, only to be rejected by the union membership. A strike again was averted after NMB Chairman Robert O. Harris and Mediator Harry D. Bickford worked with the parties in a 48-hour, round-the-clock period to reach a second tentative contract settlement in Washington, D.C., March 19, 1979. This, too, was rejected by the machinists who struck the carrier March 31 in a dispute primarily over wages and cost of living adjustments. The NMB urged the parties to return to the bargaining table and meetings were held in Denver in late April and early May. Ten days of intense mediation in Denver brought about a third tentative agreement May 19. This was promptly ratified by the workers who returned to work May 27, ending a 58-day strike—the longest work stoppage in United's history.

A-10330—Hughes Air West, Inc. and Air Line Employees Association

Hughes Air West was struck September 10, 1979, by more than 2000 ticket and reservation agents and office personnel following a series of extended negotiating sessions with the National Mediation

Board in Washington, D.C. The work stoppage followed 18 months of bargaining with wage, part-time employment and pension issues being the main items in dispute. A week of intense mediation sessions with NMB Member Robert J. Brown participating resulted in an October 15 tentative contract settlement which ALEA employees subsequently ratified. Work on the carrier, which operates 400 flights a day in 12 Western states, resumed November 10.

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

Some 135 ALPA employees struck Alaska's major intrastate carrier 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. Wien used replacement and management pilots during a strike which was to last nearly 22 months. A fact-finding board was appointed by the President under unusual circumstances in November 1978. The President was directed to appoint such a board by an amendment written into the Airline Deregulation Act. The Executive Order creating the Board stated that,

"Section 44 of the Airline Deregulation Act of 1978 (Public law 95-504) directed that the provisions of Section 10 of the Railway Labor Act, as amended, be invoked despite the fact that the National Mediation Board has failed to find that the dispute in its judgment substantially threatens to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service."

The Board was chaired by Paul N. Guthrie of Chapel Hill, North Carolina, with Ralph W. Yarborough of Austin, Texas, and Laurence E. Seibel of Washington, D.C., as members. All are well known arbitrators. The parties settled in early March 1979, the terms of the contract basically following the recommendations made in the Board's report to the President. It was agreed that Wien's 737's would be flown with two rather than three-man cockpit crews, that there would be an increase in employee wages

and that striking ALPA pilots would be promptly reinstated. Although the replacement pilots would lose seniority, they were to get first claim on new pilot jobs as the airline expands.

A-10304, A-10305, A-10339 and A-10340—World Airways, Inc. and International Brotherhood of Teamsters

What was to become a 132-day work stoppage began August 3, 1979, when more than 1,300 IBT employees shut down *World Airways*. The union, which represented the mechanics and related, stock clerks and store room employees, cockpit crew members and flight attendants—all the crafts or classes on the airline—struck in a dispute over wages, cost of living adjustments and working conditions. Some 40 days of intense mediation were involved in an effort to resolve differences prior to the walkout. During the strike, World's commercial charter operations came to a standstill, though it was able to continue overseas flights under contracts it held with the military. Again, mediation played a role in resolving the dispute. World's employees returned to work December 12 following ratification votes cast by all four classes of employees.

A-10365—Ozark Air Lines, Inc. and Association of Flight Attendants

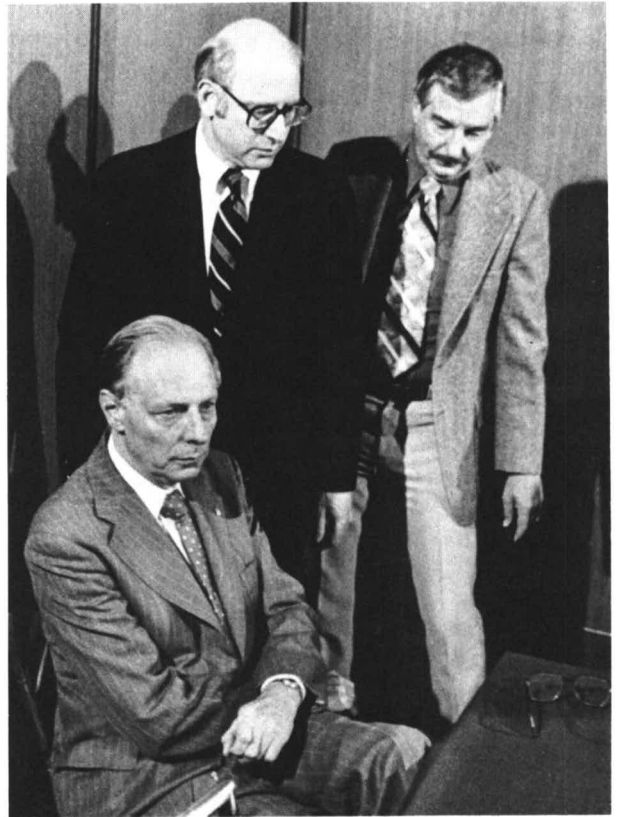
After 14 months of negotiations, including numerous mediation sessions, approximately 500 flight attendants shut down the St. Louis-based carrier September 14, 1979, beginning a strike that was to stretch over a 52-day period. The parties were unable to resolve differences over wage increases, benefits and scheduling policies. Negotiators for the airline, which serves 67 cities in 21 states, reached a tentative agreement with AFA October 20 and work resumed November 5 after contract ratification.

A-10398—Flying Tiger Lines, Inc. and International Association of Machinists and Aerospace Workers

More than 1,850 mechanics and ramp service employees in 23 cities struck the world's largest cargo airline August 25, 1979, in a dispute over wages and job security. It was the first Flying Tiger work stoppage in 20 years. The parties reached agreement with the assistance of mediation and work resumed September 12 following ratification of a three-year contract.

A-10087—Philippine Airlines, Inc. and International Association of Machinists and Aerospace Workers

The parties, with the assistance of marathon mediation, reached tentative settlement February 16, 1979. The agreement was rejected by the IAM membership, representing 150 clerical, office, fleet and passenger service employees on the airline. The strike began March 1, 1979. In dispute were wages, cost of living adjustments and various fringe benefits. The question of "scope" also was a major issue, the union seeking a guarantee that positions created at any new carrier locations be manned by its members



LARGEST U.S. AIR CARRIER REACHES SETTLEMENT IN DENVER—National Mediation Board Chairman Robert O. Harris (center) is pictured with United Airlines' President Percy Wood (seated) and NMB Mediator Harry D. Bickford shortly after he announced a tentative agreement that ultimately led to the end of a 58-day strike against the carrier. Two earlier settlements reached in mediation had been rejected by the 18,611 International Association of Machinists and Aerospace employees working for United Airlines. Messrs. Harris and Bickford participated in marathon bargaining sessions with the parties for 10 days in Denver to bring about the third settlement, May 19, 1979, which was subsequently ratified by the Machinists, ending the longest strike in United's history.

rather than by outsiders. A second agreement reached through mediation was subsequently ratified and the employees returned to work March 14.

A-10347—Argentina Airlines, Inc. and Transport Workers Union of America

Flight dispatchers, clerical, customs service and maintenance employees represented by TWU struck the airline May 11, 1979, in a dispute concerning changes in rates of pay, rules and working conditions. During a 148-day work stoppage a major bar to settlement, after contract issues were resolved, was a dispute over the removal of employee replacements hired after the strike began. Resolution of the replacement issue by the parties following weeks of further negotiations conducted by the National Mediation Board finally led to an agreement and the TWU employees returned to work October 5, 1979.

A-10421—Capitol International Airways, Inc. and the International Brotherhood of Teamsters

The 14-day work stoppage resulted when the charter carrier and 57 flight engineers represented by IBT failed to reach an agreement over issues including wages, pay retroactivity, pensions and vacations. The strike began September 23, 1979, and was subsequently settled October 6, after the parties reached an agreement with the assistance of Board mediation.

A-10361—Seaboard World Airlines, Inc. and the Air Line Pilots Association

Some 150 pilots struck the carrier at one minute after midnight August 31, 1979, when the parties failed to reach settlement on amending the current agreement concerning rates of pay, rules and working conditions. Mediation played a key role in a prompt settlement of the dispute 39 hours later. The strike ended at 3 p.m. September 1.



SEEKING ROCK ISLAND SETTLEMENT—President Fred J. Kroll of the Brotherhood of Railway and Airline Clerks confers with members of the Presidential Emergency Board in September 1979, as talks begin in an effort to resolve the Rock Island Railroad dispute. Board members are Miss Ida Klaus, James J. Reynolds (chairman) and Nicholas H. Zumas. The appointment of Emergency Board 191 followed notification to the President by the National Mediation Board that the Rock Island strike was depriving a section of the country of essential transportation services. The dispute, involving BRAC and the United Transportation Union, was mediated to settlement by the board within 30 days.

Railroads:

A-10313, A-10314, A-10287, A-10303 and A-10324—Chicago, Rock Island, & Pacific Railroad and Peoria Terminal Company and Brotherhood of Railway, Airline and Steamship Clerks and United Transportation Union

This carrier, in a state of bankruptcy, was struck by two unions in late summer, bringing a halt to all operations along its 7,600-mile, 13-state system in the Midwest. The Brotherhood of Railway, Airline and Steamship Clerks and the United Transportation Union, together representing over 4,000 of the Rock Island's 8,000 employees, struck the carrier over the issue of retroactive pay.

Mediation with the carrier and the two unions had been ongoing for about a year. In an effort to avert a strike between BRAC and the Rock Island, NMB Member George S. Ives met with the parties August 16-17, at which time a "mediator's proposal" to set up an arbitration board was offered as a method of reaching settlement. BRAC accepted, but the reorganization court handling the carrier's bankruptcy proceedings refused to approve the proposal. BRAC struck August 28. Earlier, UTU and the carrier with the NMB's assistance had agreed to the formation of a Special Board of Inquiry to investigate that union's dispute. UTU rejected the August 27 non-binding recommendations of the Special Board and struck the railroad August 29.

Following the strike, the President directed Domestic Adviser Stuart Eizenstat to head a group of government leaders, including NMB Chairman Robert O. Harris, to seek early resolution of the railroad's shutdown. On NMB's recommendation, the President appointed Emergency Board 191 Septem-

ber 20 to investigate the dispute and report its findings and recommendations to him. The Board was chaired by Former Undersecretary of Labor James J. Reynolds, with Miss Ida Klaus of New York and Nicholas H. Zumas of Washington, D.C., both labor arbitrators and attorneys, as members. At the close of the fiscal year, the Emergency Board was meeting with the parties in Washington, D.C.

Also, as the fiscal year wound down, the Interstate Commerce Commission issued a directed service order for the Kansas City Terminal Co.—a switching company owned by 12 other railroads—to operate the bankrupt Rock Island for 60 days with the possibility of extending the period of time for an additional 180 days. Wage level adjustments were made and the striking employees returned to work October 5.

A-10448—Wabash Valley Railroad Co. and International Brotherhood of Electrical Workers

A strike by 50 IBEW employees closed down this railroad for 72 days. After 12 months of direct negotiations, coupled with intensive mediation sessions, the electrical workers failed to resolve their differences with the carrier over rates of pay, rules and working conditions. The strike began March 8, 1979, and ended May 18 with the assistance of Board mediation.

A-10215—Toledo Lakefront Dock Company and the International Longshoremen's Association

A strike by 160 ILA dock workers began May 22, 1979, following extended mediation sessions with the parties. The dispute was primarily over wages and job protection for incumbent employees. The 24-day strike was resolved June 14 in a settlement which offered incumbent employees a 52-hour-a-week, 9-month-a-year work guarantee over a 10-year period.

Table 8—Strikes in the Railroad and Airline Industries, October 1, 1978 to September 30, 1979

Carrier	Organization	Craft or Class	Date of Work Stoppage	Date Work Resumed	Number of Days	Issues	Number of Employees	Disposition
Wien Air Alaska, Inc. (Case No. A-10046)	Air Line Pilots Assn., Int'l.	Pilots	May 8, 1977	Mar. 1, 1979	620	Third man on B-737 jet	135	Exec. Order dated Nov. 2, 1978, creating Emer. Bd No. 95-504 resulting in agrmt between parties
Wabash Valley RR Co. (Case No. A-10448)	Int'l. Brotherhood of Electrical Workers	Shopcrafts; Track, Engine Yard Crews	Mar. 8, 1979	May 18, 1979	72	Rates of Pay, Rules & Working Conditions	50	Agrmt. reached through mediation dated May 18, 1978
Philippine Airlines, Inc. (Case No. A-10087)	Int'l. Assn. of Machinists & Aerospace Workers	Clerical, Office, Fleet & Psgr. Svc. Empls.	Mar. 1, 1979	Mar. 14, 1979	14	Wages, Benefits & Scope Rule	150	Agrmt. reached through mediation dated May 14, 1979
United Air Lines, Inc. (Case No. A-10343)	Int'l. Assn. of Machinists & Aerospace Workers	Mechanics & Related Empls.	Mar. 31, 1979	May 27, 1979	58	Wages & Cost of Living	18,611	Agrmt. reached through mediation dated May 24, 1979

Table 8 Cont'd—Strikes in the Railroad and Airline Industries, October 1, 1978 to September 30, 1979

Carrier	Organization	Craft or Class	Date of Work Stoppage	Date Work Resumed	Number of Days	Issues	Number of Employees	Disposition
Toledo, Lakefront Dock Co. (Case No. A-10215)	Int'l. Longshoremen's Assn.	Dock Workers	May 22, 1979	June 14, 1979	24	Wages & Job Protection	160	Agrmt. reached through mediation dated June 22, 1979
Argentine Airlines, Inc. (Case No. A-10347)	Transport Workers Union of America	Flight Dispatchers; Clerical, Customs Svc. & Mainten.	May 11, 1979	Oct. 5, 1979	148	Whether replacements for strikers should be removed	350	Agrmt. reached through mediation dated October 5, 1979
Seaboard World Airlines, Inc. (Case No. A-10361)	Air Line Pilots Assn., Int'l.	Pilots	Aug. 31, 1979	Sep. 1, 1979	2	Wages, Rules & Working Conditions	150	Agrmt. reached through mediation dated Sep. 1, 1979
Flying Tiger Lines, Inc. (Case No. A-10398)	Int'l. Assn. of Machinists & Aerospace Workers	Mechanics & Ramp Svc	Aug. 25, 1979	Sep. 12, 1979	18	Wages & Job Security	1,850	Agrmt. reached through mediation dated Sep. 13, 1979
World Airways Inc. (Case Nos. A-10304, A-10305, A-10339 & A-10340)	Int'l. Brotherhood of Teamsters	Mechanics & Related Empls. Stock Clerks Flight Attends. Flight Crew Members	Aug. 3, 1979 " " "	Dec. 12, 1979 " " "	132 " " "	Wages & Working Conditions " " "	1,300 " " "	Agrmt. reached through mediation dated Dec. 14, 1979 " " "
Chicago, Rock Island & Pacific RR Co. and Peoria Terminal Co. (Case Nos. A-10313 & A-10314)	Brotherhood of Ry., Airline & Steamship Clerks, Freight Handlers Express & Station Empls.	Clerks	Aug. 28, 1979	Oct. 5, 1979	38	Retroactive Pay Increases	1,800	Exec. Order No. 12159 creating Emer. Bd. No. 191 resulting in agrmt. dated Oct. 18, 1979 between the parties
Chicago, Rock Island & Pacific RR Co. (Case Nos. A-10287, A-10303 & A-10324)	United Transportation Union	Trainmen, Brakemen & Conductors	Aug. 29, 1979	"	37	"	2,300	"
	"	Switchmen	"	"	"	"	"	"
	"	Engine, Firemen & Hostlers	"	"	"	"	"	"
Hughes Air West Inc. (Case No. A-10330)	Air Line Employees Assn.	Ticket & Reservation Agents & Office Pers	Sep. 10, 1979	Nov. 10, 1979	61	Wages & Part-time Empls.	2,000	Agrmt. reached through mediation dated Nov. 9, 1979
Ozark Air Lines Inc. (Case No. A-10365)	Assn. of Flight Attendants	Flight Attends	Sep. 14, 1979	Nov. 5, 1979	52	Wages, Benefits & Scheduling Policies	500	Agrmt. between the parties dated Oct. 20, 1979
Capitol Int'l. Awys., Inc. (Case No. A-10421)	Int'l. Brotherhood of Teamsters	Flight Engineers	Sep. 23, 1979	Oct. 6, 1979	14	Wages & Retroactivity	57	Agrmt. reached through mediation dated Oct. 17, 1979



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, reached through direct negotiations, subdivided by class or carrier and type of labor organization which have been filed with the board from 1935-1979. In this fiscal year, there were 3 initial agreements—all in

the airline industry. A total of 8,037 agreements are on file in the Board's offices, of which 1,204 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, 1978 to September 30, 1979**

Fiscal Year	All Carriers	Class I	Class II	Class III	Switching and Terminal	Electric	Express and Pullman	Miscellaneous Railroad Carriers	Air Carriers
Total:									
1979	8,037	4,402	1,134	—	963	177	18	139	1,204
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

**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, 1978 to September 30, 1979—Continued**

Fiscal Year	All Carriers	Class I	Class II	Class III	Switching and Terminal	Electric	Express and Pullman	Miscellaneous Railroad Carriers	Air Carriers
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
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:									
1979	7,940	4,344	1,130	—	945	173	18	138	1,192
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:									
1979	97	58	4	—	18	4	—	1	12
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.

There were no interpretation cases disposed of or pending in fiscal 1979. Since the Board's inception, it has closed 142 interpretation cases under the Act's provisions as compared to a total of 6,835 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 relates to the parties in dispute.

Persons serving as referees of the four divisions of the NRAB are shown in Appendix A.

During its 45-year existence the Adjustment Board has closed out 76,760 of the 78,273 cases received. Table 10 that follows shows that 963 cases were closed in fiscal year 1979—885 by decision with

**Table 10—Cases Docketed and Closed by the National Railroad Adjustment Board,
October 1, 1978 to September 30, 1979**

ALL DIVISIONS							
Cases	45-Year Period	1979	1978	1977	Transition Quarter	1976	1975
Open and on hand at beginning of period		1,405	1,443	1,485	1,476	1,392	1,517
New Cases docketed	78,273	1,071	914	851	242	970	917
Total number of cases on hand and docketed	78,273	2,476	2,357	2,336	1,718	2,362	2,434
Cases disposed of	76,760	963	952	893	233	886	1,033
Decided without referee	12,578	5	4	4	1	7	6
Decided with referee	38,516	885	890	799	144	760	860
Withdrawn	25,666	75	63	91	89	127	167
Open cases on hand close of period	1,513	1,513	1,405	1,443	1,485	1,476	1,401
FIRST DIVISION							
Open and on hand at beginning of period		518	530	534	546	626	847
New cases docketed	43,167	65	67	47	9	90	97
Total number of cases on hand and docketed	43,167	583	597	581	555	716	944
Cases disposed of	42,660	76	79	51	21	170	318
Decided without referee	10,919	1	2	2	1	5	6
Decided with referee	12,286	71	74	47	10	100	259
Withdrawn	19,455	4	4	2	10	65	53
Open cases on hand close of period	507	507	518	530	534	546	626
SECOND DIVISION							
Open and on hand at beginning of period		394	325	241	236	185	148
New cases docketed	8,371	463	385	310	68	244	193
Total number of cases on hand and docketed	8,371	857	710	551	304	429	341
Cases disposed of	7,969	455	316	226	63	193	156
Decided without referee	734	0	0	0	0	2	0
Decided with referee	6,333	439	313	214	51	176	148
Withdrawn	902	16	3	12	12	15	8
Open cases on hand close of period	402	402	394	325	241	236	185
THIRD DIVISION							
Open and on hand at beginning of period		459	532	636	644	498	461
New cases docketed	23,030	460	391	377	128	505	475
Total number of cases on hand and docketed	23,030	919	923	1,013	772	1,003	936
Cases disposed of	22,466	355	464	481	136	359	438
Decided without referee	918	4	2	2	—	—	—
Decided with referee	17,291	321*	416	421	73	830	372
Withdrawn	4,257	32	46	59	63	30	67
Open cases on hand close of period	564	564	459	532	636	644	498

**Table 10—Cases Docketed and Closed by the National Railroad Adjustment Board,
October 1, 1978 to September 30, 1979—Continued**

Cases	45-Year Period	1979	1978	1977	Transition Quarter	1976	1975
FOURTH DIVISION							
Open and on hand at beginning of period		34	56	74	450	83	61
New cases docketed	3,705	83	71	117	37	131	152
Total number of cases on hand and docketed	3,705	117	127	191	87	214	213
Cases disposed of	3,665	77	93	135	13	164	121
Decided without referee	0	0	0	0	0	0	0
Decided with referee	2,608	54	83	117	9	147	82
Withdrawn	1,057	23	10	18	4	17	39
Open cases on hand close of period	40	40	34	56	74	50	92

*Second award rendered on two cases decided by referee.

referee, 5 by decision without referee and 75 by withdrawal. In fiscal year 1979, 1,071 new cases were received as compared to 914 for fiscal year 1978.

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.

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 8 new special boards of adjustment established in fiscal 1979. A total of 24 boards convened. These boards had closed 645 cases as of September 30, 1979. This figure compares with 4,278 cases, including 3,569 cases closed out by one Special Board, during fiscal year 1978.

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

In fiscal year 1979, 218 public law boards were established. Thirteen involved procedural issues and 205 merit issues. During the year, 323 boards were convened—9 involved procedural issues and 314 dealt solely with the merits of specific grievances. Public law boards closed (decided and/or withdrawn) 6,037 cases during the fiscal year. Nine covered procedural and 6,028 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 Rail Passenger Service Act are contained in Appendix B, table 6.



VIII. Organization and Finances of the National Mediation Board

Located at 1425 K Street, N.W., 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 Wash-



NEW MEMBER OF THE NATIONAL MEDIATION BOARD—Former Undersecretary of Labor Robert J. Brown was sworn in August 20, 1979, as a member of the National Mediation Board. Secretary of Labor Ray Marshall is shown conducting the ceremonies at the Department of Labor, assisted by Mrs. Brown holding the Bible.

ington, 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:

Joseph E. Anderson	Thomas B. Ingles
Charles R. Barnes	Thomas C. Kinsella
Harry D. Bickford	Robert B. Martin
Charles H. Callahan	Maurice A. Parker
Jack W. Cassle	Charles A. Peacock
Robert J. Cerjan	Walter L. Phipps
Samuel J. Cognata	William H. Pierce
Ralph T. Colliander	Alfred H. Smith
Francis J. Dooley	Joseph W. Smith
Robert J. Finnegan	John B. Willits

Financial Statement for the Annual Report for Fiscal Year 1979

For the fiscal year 1979, the Congress appropriated \$4,033,000. Obligations and expenses incurred for the various activities of the Board follows:

	1979
Mediation	\$2,028,567
Voluntary arbitration and emergency disputes	78,003
Adjustment of railroad grievances	1,847,000

Accounting of all moneys appropriated by Congress for the fiscal year 1979, pursuant to the authority conferred by the Railway Labor Act approved May 20, 1926 (amended June 21, 1934):

	1979 Actual
Expenses and obligations:	
Personnel compensation	\$2,828,000
Personnel benefits	209,000
Travel and transportation of persons	340,000
Standard level user charges	240,000
Other rent, communications, and utilities	139,000
Printing and reproduction	99,000
Other services	54,000
Supplies and materials	29,000
Equipment	16,000
Unobligated balance, lapsing	79,000
Budget authority	\$4,033,000



IX. 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 grievances 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.



THE RAILWAY LABOR ACT—ITS IMPACT ON THE AIR CARGO INDUSTRY—In the National Mediation Board's continuing effort to bring about a greater awareness and understanding of the Railway Labor Act and its benefits to the two industries it serves, NMB Chairman Robert O. Harris in October addressed the Air Cargo Conference at Stewart Airport in Newburgh, New York. Mr. Harris, in pointing out the principal differences between the Railway Labor Act and the National Labor Relations Act, noted that mediation under Taft-Hartley is voluntary and non-enforceable while under RLA it is mandatory and may extend long after the expiration of a collective bargaining agreement in an effort to reach settlement without a strike. Mr. Harris is shown flanked by (left) George Kleiman, Grand Lodge representative of the International Association of Machinists and Aerospace Workers, and Panel Moderator Alan Goldsand, aviation editor of the *New York Journal of Commerce*.

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

How does each mediator handle his case? That question might be answered this way: With a delicate touch. With instinct. With a gut feel for the situation and a fine-tuned sense of timing. Each mediation case is different 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.

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 emergency 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 191 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 1979 there were two Emergency Boards appointed by the President. They centered on disputes between the National Railway Labor Conference and the American Train Dispatchers Association and the Chicago, Rock Island and Pacific Railroad and Peoria Terminal Company and the Brotherhood of Railway, Airline and Steamship Clerks and the United Transportation Union. A third board was appointed by an act of Congress. Public Law Board No. 95-504 was the result of legislative action directing the President to appoint such a board under terms of the Airline Deregulation Act.

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 previous chapter.

Summary

The Railway Labor Act is the culmination of more than 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 the Federal legislation. The amended Railway Labor Act clearly 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 unresolvable 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.

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



Special Report

Union Success Rate in Representation Elections, Fiscal Years 1977-1979¹

This study reviews the experience of individuals or groups which have attempted to become bargaining representatives in representation elections for the period fiscal year 1977 through fiscal year 1979. Labor organizations were certified as the bargaining representative in over 40 percent of the railroad and airline representation cases involving unorganized employees during this period. The tables include: (1) disposition of craft or class determinations (2) nature of dismissals (3) overall certification rate relating to showing of interest (4) certification rate relating to showing of interest based on size of electorate (5) showing of interest as compared to percent of votes received by applicant in election and (6) certification rate in elections by selected crafts or classes.

Table 1 provides general information on the disposition of the 342 craft or class determinations made in the railroad and airline industries for fiscal years 1977-79. Certifications were issued by the NMB for 176 craft or class determinations involving over 44,000 employees. Individuals or labor organizations won the right to represent previously unrepresented employees in 107 craft or class determinations, three-fifths of the total number of certifications awarded. The average unit² size of these representation victories was far smaller, however, than that where an incumbent previously held bargaining rights, 61 employees on the average compared with 547.

In the railroad industry, the average bargaining unit size for newly represented groups of employees was significantly higher than that for previously

represented units. The opposite applied in the airline industry where the average of 50 employees in new bargaining units was far outshadowed by the average of 1,100 employees where there was a previous representative for collective bargaining purposes.

The accompanying chart shows that in representation cases involving only unorganized workers the cases where a bargaining representative was chosen fluctuated moderately during the three-year period under review.

The Board dismissed applications involving 166 crafts or classes during the three-year period, nearly 60 percent of which were in the airline industry. The average number of employees involved in the craft or class where a dismissal occurred was 21 in the railroad industry and 270 in the airline industry. The vast majority of these dismissals involved unrepresented employees.



¹This is the first in a series of special reports prepared by the Research Department of the NMB for the Annual Report. The Board intends to include in subsequent Annual Reports other studies of a general interest for the railroad and airline industries.

²For purposes of this study, "unit" is defined as being synonymous with the "craft or class" grouping for collective bargaining purposes.

Chart 1. Certification rate in representation elections involving only unorganized workers, fiscal years 1977-1979.

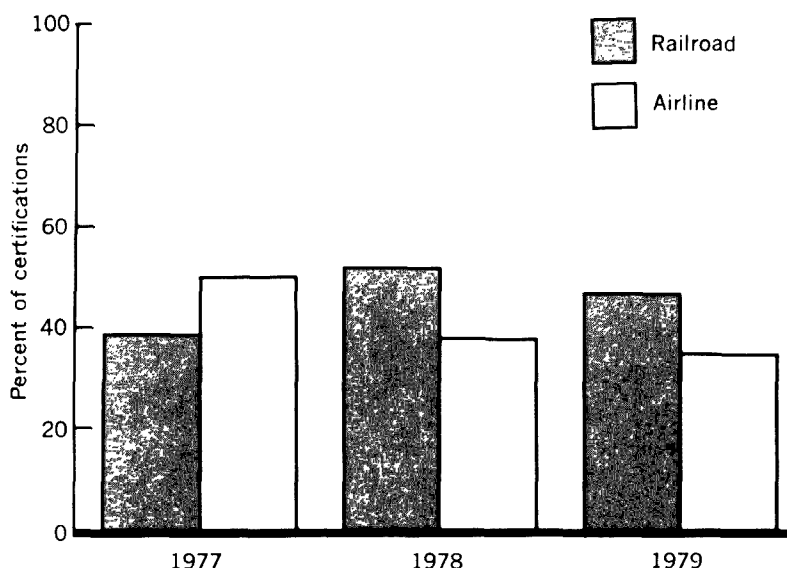


Table 2 shows that the predominant cause of a dismissal in the railroad industry was the organization withdrawing its application from further consideration by the Board. This factor accounted for 37 percent of the total number of dismissals involving the railroad industry. (By way of comparison, for the five-year period ending 1970, this factor accounted for only 13 percent of the total number of dismissals.) The predominant factor in the airline industry was the failure of the employees to choose a bargaining representative.

Table 3 relates certifications with the showing of interest produced by the applicant in support of its application. The data clearly show that the likelihood of victory is positively related to the showing of interest. When an application is supported by less than a majority of the eligible employees, the likelihood of a certification is greatly diminished. For example, the Board conducted 52 railroad and airline elections in which the showing of interest was 50 percent or less. Of this number, only 35 percent ended in a certification. In contrast, when the showing of interest was greater than 70 percent, certifications resulted in 88 percent of the elections conducted.

To a limited extent the data also tend to legitimize the concerns raised by some observers regarding the validity of authorization cards as an indicator of employee support for a labor organization. In elections where no labor organization was certified, the applicant had produced a showing of interest in excess of 50 percent of the eligible employees in 44 per-

cent of the cases. In 6 of the 19 railroad elections dismissed on account of an election defeat, the applicant had the near unanimous support of the employees at the time the application was submitted to the Board for processing.

Table 4 shows that for fiscal years 1977-1979 the vast majority of certifications were awarded in units with 50 or fewer voters. Furthermore, virtually all the occurrences in which the showing of interest by the applicant exceeded 80 percent involved these small units.

In the railroad cases involving 100 or more employees and in which the Board determined a representation dispute to exist, certifications resulted 69 percent of the time. Of the cases where no organization received sufficient votes for certification, the showing of interest was below 50 percent in each instance.

Labor organizations were not as successful in organizing these larger units in the airline industry, as certifications were made in only 55 percent of the cases covering an electorate of 100 or more employees. Of the 14 cases in which no organization was certified by virtue of election defeat, the showing of interest was less than a majority of the eligible voters 93 percent of the time.

Table 5 provides an insight into the success of the pre-election campaign of the employer and the applicant labor organization. At the time authorization cards are signed, employees have not had the benefit of hearing the carrier's case against union

representation. This occurs during the pre-election period during which the employees have the opportunity to evaluate the pros and cons of unionization. During this period the labor organization which has produced less than a majority showing campaigns to win the necessary support. The major obstacle confronting the applicant which has produced a majority showing is to combat excessive slippage of its support.

The data in Table 5 clearly show that slippage occurs frequently in union support. But, generally speaking, in cases which a labor organization was certified, there was either no change between the showing of interest and the percentage of votes received by the applicant, or the percentage of votes received represented a gain in support for the applicant. As stated earlier, where the applicant had less than a majority showing, a labor organization was

certified in only 35 percent of the cases. Interestingly, labor organizations in this category tended to lose support between the signing of authorization cards and the holding of an election, rather than gain support but fall short of a majority.

Table 6 provides data on the labor organization success rate in selected crafts or classes. For the airline industry particularly, there is a great diversity in the individual rates. For example, unions organizing flight attendants were successful in 92 percent of the cases docketed. In the office clerical, fleet and passenger service; fleet and passenger service; and office clerical crafts or classes, the success rate was only 25 percent. These three crafts or classes accounted for 26 percent of the total number of airline determinations made during the fiscal year 1977-79 period, but only 14 percent of the number of certifications.

Table 1.—Number of Craft or Class Determinations and Employees Involved, By Type of Disposition, Aggregate Data, Fiscal Years 77-79

Disposition	Railroads & Airlines Combined		Railroads		Airlines	
	Craft or Class	No. of Employees Involved	Craft or Class	No. of Employees Involved	Craft or Class	No. of Employees Involved
TOTAL	342	72,152	155	7,173	187	64,979
Certifications:						
Total	176	44,222	87	5,744	89	38,478
Representation Acquired	107	6,477	50	3,782	57	2,695
Representation Changed	56	19,552	31	1,107	25	18,445
Representation Unchanged	13	18,193	6	855	7	17,338
Dismissals:						
Total	166	27,930	68	1,429	98	26,501

Table 2.—Number and Percent of Craft or Class Determinations, By Nature of Dismissal, Aggregate Data, Fiscal Years 77-79

Nature of Dismissal	Railroads & Airlines Combined		Railroads		Airlines	
	Craft or Class		Craft or Class		Craft or Class	
	Number	Percent	Number	Percent	Number	Percent
Total	166	100.0	68	100.0	98	100.0
Application Withdrawn	46	27.7	25	36.8	21	21.4
Lack of Showing of Interest	26	15.7	11	16.2	15	15.3
Based on Election Results	61	36.7	19	27.9	42	42.9
Other	33	19.9	13	19.1	20	20.4

**Table 3.—Results of Representation Elections, Relation to Showing of Interest,
Aggregate Data, Fiscal Years 77-79**

Disposition	Total	Number of Elections Held in Which Showing of Interest (By Applicant) Was —						
		35-40 Percent	41-50 Percent	51-60 Percent	61-70 Percent	71-80 Percent	81-90 Percent	Over 90 Percent
Railroads								
Number of Certifications	87	1	3	13	19	8	5	38
Representation Acquired	50	1	3	7	11	6	1	21
Representation Changed	31	—	—	5	7	1	3	15
Representation Unchanged	6	—	—	1	1	1	1	2
No Party Certified in Election	19	3	3	2	3	2	—	6
Airlines								
Number of Certifications	89	5	9	13	15	21	8	18
Representation Acquired	57	4	9	5	11	12	7	9
Representation Changed	25	—	—	4	4	9	1	7
Representation Unchanged	7	1	—	4	—	—	—	2
No Party Certified in Election	42	10	18	2	6	3	3	—

**Table 4.—Results of Representation Elections, Relation to Showing of Interest and Size of Electorate,
Aggregate Data, Fiscal Years 77-79**

Disposition	Total	Number of Elections Held in Which Showing of Interest (By Applicant) Was —							Over 90 Percent
		35-40 Percent	41-50 Percent	51-60 Percent	61-70 Percent	71-80 Percent	81-90 Percent		
RAILROADS									
Election involved less than 20 eligible voters									
Number of Certifications.....	57	—	2	1	9	6	2	37	
Representation Acquired	36	—	2	1	6	6	—	21	
Representation Changed	18	—	—	—	2	—	2	14	
Representation Unchanged	3	—	—	—	1	—	—	2	
No party certified in election.....	12	—	2	—	2	2	—	6	
Election involved between 20 & 50 eligible voters									
Number of Certifications.....	11	—	—	2	6	—	2	1	
Representation Acquired	3	—	—	—	2	—	1	—	
Representation Changed	7	—	—	2	4	—	—	1	
Representation Unchanged	1	—	—	—	—	—	1	—	
No party certified in election.....	2	—	—	1	1	—	—	—	
Election involved between 51 & 100 eligible voters									
Number of Certifications.....	10	1	1	4	2	2	—	—	
Representation Acquired	6	1	1	3	1	—	—	—	
Representation Changed	3	—	—	1	1	1	—	—	
Representation Unchanged	1	—	—	—	—	1	—	—	
No party certified in election.....	1	—	—	1	—	—	—	—	

Table 4. Cont'd.—Results of Representation Elections, Relation to Showing of Interest and Size of Electorate, Aggregate Data, Fiscal Years 77-79

Disposition	Total	Number of Elections Held in Which Showing of Interest (By Applicant) Was —						
		35-40 Percent	41-50 Percent	51-60 Percent	61-70 Percent	71-80 Percent	81-90 Percent	Over 90 Percent
RAILROADS—Continued								
Election involved between 101 & 500 eligible voters								
Number of Certifications.....	7	—	—	5	1	—	1	—
Representation Acquired	4	—	—	3	1	—	—	—
Representation Changed	3	—	—	2	—	—	1	—
Representation Unchanged	—	—	—	—	—	—	—	—
No party certified in election.....	3	2	1	—	—	—	—	—
Election involved between 501 & 1000 eligible voters								
Number of Certifications.....	1	—	—	1	—	—	—	—
Representation Acquired	—	—	—	—	—	—	—	—
Representation Changed	—	—	—	—	—	—	—	—
Representation Unchanged	1	—	—	1	—	—	—	—
No party certified in election.....	1	1	—	—	—	—	—	—
Election involved greater than 1000 eligible voters								
Number of Certifications.....	1	—	—	—	1	—	—	—
Representation Acquired	1	—	—	—	1	—	—	—
Representation Changed	—	—	—	—	—	—	—	—
Representation Unchanged	—	—	—	—	—	—	—	—
No party certified in election.....	—	—	—	—	—	—	—	—
AIRLINES								
Election involved less than 20 eligible voters								
Number of Certifications.....	35	1	5	2	4	8	5	10
Representation Acquired	30	1	5	2	4	6	5	7
Representation Changed	5	—	—	—	—	2	—	3
Representation Unchanged	—	—	—	—	—	—	—	—
No party certified in election.....	12	1	5	—	2	2	2	—
Election involved between 20 & 50 eligible voters								
Number of Certifications.....	28	1	3	3	8	6	3	4
Representation Acquired	18	1	3	2	6	3	2	1
Representation Changed	9	—	—	—	2	3	1	3
Representation Unchanged	1	—	—	1	—	—	—	—
No party certified in election.....	13	2	5	1	4	—	1	—
Election involved between 51 & 100 eligible voters								
Number of Certifications.....	9	2	—	1	2	3	—	1
Representation Acquired	3	2	—	—	—	1	—	—
Representation Changed	5	—	—	—	2	2	—	1
Representation Unchanged	1	—	—	1	—	—	—	—
No party certified in election.....	3	1	1	—	—	1	—	—

Table 4. Cont'd.—Results of Representation Elections, Relation to Showing of Interest and Size of Electorate, Aggregate Data, Fiscal Years 77-79

		Number of Elections Held in Which Showing of Interest (By Applicant) Was —						
Disposition	Total	35-40 Percent	41-50 Percent	51-60 Percent	61-70 Percent	71-80 Percent	81-90 Percent	Over 90 Percent
AIRLINES—Continued								
Election involved between 101 & 500 eligible voters								
Number of Certifications.....	6	—	1	2	—	2	—	1
Representation Acquired	5	—	1	1	—	2	—	1
Representation Changed	1	—	—	1	—	—	—	—
Representation Unchanged	—	—	—	—	—	—	—	—
No party certified in election.....	7	2	5	—	—	—	—	—
Election involved between 501 & 1000 eligible voters								
Number of Certifications.....	4	—	—	1	1	1	—	1
Representation Acquired	1	—	—	—	1	—	—	—
Representation Changed	1	—	—	—	—	1	—	—
Representation Unchanged	2	—	—	1	—	—	—	1
No party certified in election.....	2	—	2	—	—	—	—	—
Election involved greater than 1000 eligible voters								
Number of Certifications.....	7	1	—	4	—	1	—	1
Representation Acquired	—	—	—	—	—	—	—	—
Representation Changed	4	—	—	3	—	1	—	—
Representation Unchanged	3	1	—	1	—	—	—	1
No party certified in election.....	5	4	—	1	—	—	—	—

Table 5.—Showing of Interest Compared To Percent Of Votes Received By Applicant In Election, Aggregate Data, Fiscal Years 77-79

		Number of Elections Held								
		Percentage Point Change In Votes Received By Applicant In Election								
		No	Percentage Point Gain				Percentage Point Loss			
Showing of Interest	Total	Change	1-10	11-25	26-50	Over 50	1-10	11-25	26-50	Over 50
RAILROADS										
Election Resulted in Certification										
Total	87	37	5	10	6	—	7	12	10	—
35-40 percent	1	—	—	—	—	—	—	1	—	—
41-50 percent	3	—	—	—	2	—	1	—	—	—
51-60 percent	13	—	3	4	1	—	1	2	2	—
61-70 percent	19	5	2	1	3	—	3	3	2	—
71-80 percent	8	—	—	5	—	—	2	—	1	—
81-90 percent	5	3	—	—	—	—	—	1	1	—
Over 90 percent	38	29	—	—	—	—	—	5	4	—
No Party Certified in Election										
Total	19	1	1	—	—	—	1	5	2	9
35-40 percent	3	—	1	—	—	—	—	2	—	—
41-50 percent	3	1	—	—	—	—	—	1	1	—
51-60 percent	2	—	—	—	—	—	1	1	—	—
61-70 percent	3	—	—	—	—	—	—	1	—	2
71-80 percent	2	—	—	—	—	—	—	—	—	2
81-90 percent	—	—	—	—	—	—	—	—	—	—
Over 90 percent	6	—	—	—	—	—	—	—	1	5
AIRLINES										
Election Resulted in Certification										
Total	89	16	18	18	3	—	14	17	1	2
35-40 percent	5	—	—	4	—	—	1	—	—	—
41-50 percent	9	1	3	3	1	—	1	—	—	—
51-60 percent	13	—	3	1	1	—	3	4	1	—
61-70 percent	15	1	5	4	1	—	2	2	—	—
71-80 percent	21	3	6	5	—	—	2	5	—	—
81-90 percent	8	3	1	1	—	—	—	2	—	1
Over 90 percent	18	8	—	—	—	—	5	4	—	1
No Party Certified in Election										
Total	42	3	3	1	—	—	7	13	10	5
35-40 percent	10	—	2	1	—	—	3	4	—	—
41-50 percent	18	3	1	—	—	—	4	5	5	—
51-60 percent	2	—	—	—	—	—	—	1	1	—
61-70 percent	6	—	—	—	—	—	—	3	2	1
71-80 percent	3	—	—	—	—	—	—	—	1	2
81-90 percent	3	—	—	—	—	—	—	—	2	1
Over 90 percent	—	—	—	—	—	—	—	—	—	—

NOTE: This table covers only the experience of the applicant. It should be remembered that in a representation election an applicant, an incumbent organization, an intervenor, or a write-in may be certified.

**Table 6.—Disposition of Determinations for Selected Crafts Or Classes,
Aggregate Data, Fiscal Years 77-79**

Craft or Class	Total Number of Determinations	Certifi- cations	Disposition				Success Rate¹
			No Party Certified in Election	Dismissal			
				Application Withdrawn	Lack of Showing of Interest	Other	
RAILROADS							
Carmen	10	6	2	2	—	—	60%
Clerical, Office, Station & Storehouse	7	4	1	—	2	—	57%
Locomotive Firemen, Hostlers & Helpers	13	10	—	2	—	1	77%
Locomotive Engineers	22	15	3	3	—	1	68%
Machinists	8	4	2	1	—	1	50%
Maintenance of Way	12	5	2	2	1	2	42%
Patrolmen	11	9	—	—	1	1	82%
Road Brakemen	8	4	1	1	1	1	50%
Road Conductors	9	6	1	2	—	—	67%
AIRLINES							
Clerical, Office, Fleet & Passenger Service	25	6	9	5	4	1	24%
Dispatchers	15	9	1	3	—	2	60%
Fleet & Passenger Service	13	4	5	3	1	—	31%
Flight Attendants	13	12	—	1	—	—	92%
Mechanics	21	16	2	1	—	2	76%
Office and Clerical	11	2	4	1	4	—	18%
Pilots	31	20	6	2	1	2	65%

¹The success rate was calculated by dividing the number of certifications by the number of determinations and multiplying by 100.



Appendix A

National Railroad Adjustment Board (Created June 21, 1934)

Euker, W. F., *Chairman*
Cullen, M. J., *Vice Chairman*
Carvatta, R. J., *Administrative Officer*
Paulos, A. W., *Executive Secretary*

Accounting for all moneys appropriated by Congress for the fiscal year 1979, 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 1979

Board's portions of Salaries and Expenses,	
National Mediation Board	\$870,000.00
Transferred from PLB's and SBA's	27,000.00
Supplemental Appropriation	18,000.00
Total	\$915,000.00

Expenditure:

Salaries of employees	344,968.00
Salaries of referees	291,000.00
Personnel benefits	44,473.00
Travel expenses (including referees)	35,738.00
Other Rent	13,743.00
Communications services	31,581.00
Standard level user charges	134,760.00
Printing and reproduction	8,005.00
Other contractual services	2,320.00
Supplies and materials	8,172.00
Equipment	240.00

Total expenditures	\$915,000.00
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Unexpended balance	-0-
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Organization National Railroad Adjustment Board Government Employees, Salaries, and Duties

Name	Title	Salary Paid	Duties
Administration			
Carvatta, Roy J.	Administrative Officer	\$43,200.00	Subject to direction of National Mediation Board, Administers N.R.A.B. Governmental affairs
Swanson, Ronald A.	Asst. Adm. Officer	21,589.60	Accounting and Auditing
Tuttle, George J.	Clerical Assistant	8,807.16	Assists in accounting and auditing
Szewczyk, Bernice E.	Clerical Assistant	13,992.00	do
Bradley, Rochelle E.	Clerk-Typist	2,190.40	Clerical and Typing
Lauraitis, John J.	Clerk	12,197.20	Clerical
Divisional			
Paulos, Angelo W.	Executive Secretary	21,008.00	Executive Secretary for all four divisions—fully responsible for Third Division
Dever, Nancy J.	Assistant Executive Secretary	18,555.60	Assists Executive Secretary—responsible for First and Fourth Divisions
Brasch, Rosemarie	Administrative Asst.	16,504.80	Assists Executive Secretary—responsible for Second Division
Czerwonka, Veronica C.	Administrative Asst.	14,125.60	Assists Executive Secretary on Third Division
Hampton, Lorraine	Clerk-Typist	3,801.21	Clerical for Second Division
Jaeger, Rosemary E.	Clerk-Typist	12,286.80	Clerical for Third Division
Shorka, Hazel R.	Clerk-Typist	11,057.60	Clerical for Third Division

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

Name	Title	Salary Paid	Duties
Secretarial			
Elwood, Addie V.	Secretary	11,886.00	Secretarial, stenographic and clerical
Glassman, Sarah	"	13,651.60	"
Hudson, Lucile B.	"	13,651.60	"
Javoric, Mary A.	"	11,919.60	"
Krozel, Helen B.	"	11,057.60	"
LaChance, Kathleen V.	"	13,651.60	"
Loughrin, Catherine A.	"	13,651.60	"
Smith, Joan M.	"	4,749.25	"
Snyder, Florence	"	10,478.45	"
Stanger, Dianne M.	"	13,651.60	"
Sullivan, Josephine A.	"	13,651.60	"
Vorphal, Joan A.	"	13,651.60	"

Neutral Referees' Services For All Divisions of NRAB

Name	Salary Paid	Duties
Referees		
First Division		
Dolnick, David	\$ 4,200.00	Sat with division as a member to make awards upon failure of division to agree or secure majority vote
O'Brien, Robert M.	6,475.00	"
Zumas, Nicholas H.	3,850.00	"
Second Division		
Cushman, Bernard	1,793.75	"
Dennis, Rodney E.	6,825.00	"
Eischen, Dana E.	7,350.00	"
Fitzgerald, Robert E., Jr.	2,195.45	"
Franden, Robert A.	13,387.50	"
Larney, George E.	8,050.00	"
Lieberman, Irwin M.	11,637.50	"
McMurray, Kay	787.50	"
Marx, Herbert L., Jr.	25,243.75	"
O'Brien, Theodore H.	700.00	"
Roukis, George S.	11,637.50	"
Scearce, James F.	13,650.00	"
Valtin, Rolf	4,025.00	"
Van Wart, Arthur T.	1,575.00	"
Wallace, Walter C.	875.00	"
Weiss, Abraham	12,305.53	"
Williams, Robert G.	1,225.00	"
Yarborough, Ralph W.	2,603.13	"

Referees		
Third Division		
Carter, Paul C.	\$ 4,550.00	Sat with division as member to make awards upon failure of division to agree or secure majority vote
Eischen, Dana E.	6,650.00	"
Franden, Robert A.	9,829.17	"
Hamilton, Donald E.	5,425.00	"
Kasher, Richard R.	787.50	"
Lieberman, Irwin M.	2,975.00	"
Lipson, Nathan	3,675.00	"
McMurray, Kay	787.50	"
Mangan, John J.	1,312.50	"
Marx, Herbert L., Jr.	3,718.75	"

Neutral Referees' Services For All Divisions of NRAB—Continued

Name	Title	Salary Paid	Duties
O'Brien, Robert M.		175.00	"
Roukis, George S.		7,437.50	"
Rubenstein, Benjamin		1,788.29	"
Scearce, James F.		10,412.50	"
Sickles, Joseph A.		12,337.50	"
Twomey, David P.		1,575.00	"
Valtin, Rolf		3,675.00	"
Weiss, Abraham		5,440.06	"
Weston, Harold M.		350.00	"
Yagoda, Louis		7,831.25	"

Fourth Division

Eischen, Dana E.	1,925.00	"
Sickles, Joseph A.	7,175.00	"
Twomey, David P.	2,100.00	"
Van Wart, Arthur T.	612.50	"
Ward, John T.	525.00	"
Weiss, Abraham	1,961.58	"

First Division—National Railroad Adjustment Board

220 South State Street, Chicago, Illinois 60604

Table 1—Cases Docketed Fiscal Year 1978-1979; Classified according to Carrier Party to Submission

NAME OF CARRIER	NUMBER OF CASES DOCKETED
Atchison, Topeka and Santa Fe	1
Burlington Northern, Inc.	3
Central of Georgia	1
Chicago and Northwestern Transportation	3
Colorado and Southern	2
Florida East Coast	3
Grand Trunk Western	8
Illinois Central Gulf	1
Norfolk and Western	3
Norfolk and Western (Wabash)	2
Seaboard Coast Line	35
Southern Pacific-Pacific	2
Staten Island Rapid Transit	1
Total	65

Organization of the Division, Fiscal Year, 1978-1979

W. F. Euker, *Chairman*
F. P. Riordan, *Vice Chairman*

R. E. Delaney¹
A. D. Dula
M. F. Fitzpatrick
H. G. Kenyon²
J. R. Lange
J. D. Sims³

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

OPERATIONS

The tables below set out results of operation of the Division during fiscal year 1978-1979.

Table 2—Cases Docketed Fiscal Year 1978-1979; Classified according to Organization Party to Submission

NAME OF ORGANIZATION	NUMBER OF CASES DOCKETED
Brotherhood of Locomotive Engineers	52
Individual	10
United Transportation Union	3
Total	65

¹Replaced Mr. Sims.

²Replaced Mr. Gabriel.

³Deceased.

**Second Division—National Railroad
Adjustment Board**
220 South State Street, Chicago, Illinois 60604

MEMBERSHIP

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

A. W. Paulos, *Executive Secretary*

JURISDICTION

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

Organizations, Etc., Party to Cases Docketed

Brotherhood Railway Carmen of the United States and Canada	212
International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers	24
International Brotherhood of Electrical Workers	73
International Association of Machinists & Aerospace Workers	39
International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers	80
Sheet Metal Workers' International Association	31
United Steel Workers of America	1
Individually Submitted Cases, etc.	3
Total	463

Carriers Party to Cases Docketed

Alton & Southern Ry. Co.	5
Atchison, Topeka & Santa Fe Ry. Co.	3
Baltimore & Ohio RR Co.	9
Baltimore & Ohio Chicago Terminal RR Co.	4
Belt Ry. Co. of Chicago	1
Bessemer & Lake Erie RR Co.	1
Boston & Maine Corp.	1
Burlington Northern	38
Camas Prairie RR Co.	1
Chesapeake & Ohio Ry. Co.	5
Chicago & North Western Transportation Co.	24
Chicago, Milwaukee, St. Paul & Pacific RR Co.	7
Chicago, Rock Island & Pacific RR Co.	3
Clinchfield RR Co.	3
Consolidated Rail Corporation	49

Denver & Rio Grande Western RR Co.	11
Detroit & Mackinac Ry. Co.	1
Detroit & Toledo Shore Line RR Co.	1
Detroit, Toledo & Ironton RR Co.	1
Elgin, Joliet & Eastern Ry. Co.	6
Grand Trunk Western Ry. Co.	6
Fort Worth & Denver Ry. Co.	1
Houston Belt & Terminal Ry. Co.	3
Illinois Central Gulf RR Co.	17
Indiana Harbor Belt RR Co.	2
Kansas City Southern Ry. Co.	1
Kentucky & Indiana Terminal Ry. Co.	1
Lake Terminal RR Co.	1
Louisville & Nashville RR Co.	19
Missouri Pacific RR Co.	55
Monogahela Connecting Ry. Co.	2
National Railroad Passenger Corp.	8
Norfolk & Western Ry. Co.	26
Patapsco & Back Rivers RR Co.	3
Portland Terminal RR Co.	1
Richmond Fredericksburg & Potomac Ry. Co.	4
St. Louis-San Francisco Ry. Co.	18
St. Louis Southwestern Ry. Co.	6
Seaboard Coast Line RR Co.	21
Soo Line RR Co.	10
Southern Pacific Transportation Co.	45
Southern Ry. Co.	6
Staten Island Rapid Transit Operating Authority	2
Terminal RR Association of St. Louis	1
Texas & Pacific Ry. Co.	2
Toledo, Peoria & Western RR Co.	1
Union Pacific RR Co.	5
Washington Terminal Co.	12
Western Maryland Ry. Co.	3
Western Pacific RR Co.	7
Total	463

**Third Division—National Railroad
Adjustment Board**

220 South State Street, Chicago, Illinois 60604

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

A. W. Paulos, *Executive Secretary*

*P. V. Varga replaced V. W. Merritt on 10-9-78.

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

*Akron, Canton & Youngstown RR Co.	2
Atchison, Topeka & Santa Fe Ry. Co.	12
Baltimore and Ohio Chicago Terminal	1
Baltimore and Ohio RR Co.	30
Belt Railway Co. of Chicago	4
Bessemer and Lake Erie RR Co.	5
Burlington Northern	7
Camas Prairie RR Co.	1
Canadian Pacific Limited	1
Central of Georgia RR Co.	3
Central Vermont Ry. Inc.	2
Chesapeake & Ohio Ry. Co.	28
Chicago & Illinois Midland Ry. Co.	1
Chicago & North Western Transportation Co.	7
Chicago, Milwaukee, St. Paul & Pacific RR Co.	18
Chicago, Rock Island & Pacific RR Co.	12
Clinchfield RR Co.	1
Colorado and Wyoming Ry. Co.	1
Consolidated Rail Corporation	12
Denver & Rio Grande Western RR Co.	12
Detroit & Toledo Shore Line RR Co.	4
Detroit, Toledo & Ironton RR Co.	2
Duluth, Missabe & Iron Range Ry. Co.	1
Elgin, Joliet & Eastern Ry. Co.	7
Family Lines System	5
Fort Worth & Denver Ry. Co.	5
Grand Trunk Western RR Co.	1
Illinois Central Gulf RR	11
Illinois Terminal RR Co.	1
Joint Texas Division of CRI&P-FW&D	2
Kansas City Southern Ry. Co.	2
Kansas City Terminal Ry. Co.	1

Carriers Party to Cases Docketed—Continued

Lake Superior & Ishpeming RR Co.	1
Lake Terminal RR Co.	3
Louisiana & Arkansas Ry. Co.	1
Louisville & Nashville RR Co.	13
Maine Central RR Co.-Portland Terminal Co.	3
Minneapolis, Northfield & Southern Ry.	1
Mississippi Export RR Co.	2
Missouri-Kansas-Texas RR Co.	12
Missouri Pacific RR Co.	7
National Railroad Passenger Corporation	5
New Orleans Public Belt RR	2
Norfolk and Western Ry. Co.	33
Norfolk Southern Ry. Co.	1
Northwestern Pacific RR Co.	1
Pacific Fruit Express Co.	1
Pittsburgh & Lake Erie RR Co.	1
Port Authority Trans-Hudson Corporation	1
Port Terminal Railroad Association	3
Railroad Perishable Inspection Agency	2
River Terminal Ry. Co.	3
St. Louis-San Francisco Ry. Co.	45
St. Louis Southwestern Ry. Co.	7
Seaboard Coast Line RR Co.	29
Seacoast Transportation Co.	1
Soo Line Railroad Co.	11
Southern Freight Tariff Bureau	1
Southern Pacific Transportation Co. (Pacific Lines)	18
Southern Pacific Transportation Co. (Texas & Louisiana)	8
Southern Ry. System	22
Terminal Railroad Association of St. Louis	5
Union Pacific Fruit Express	1
Union Pacific RR Co.	1
Washington Terminal Co.	5
Western Pacific RR Co.	7
Western RR Association	1
Total	460

Organizations Party to Cases Docketed

American Train Dispatchers Association	20
Brotherhood of Maintenance of Way Employes	135
Brotherhood of Railroad Signalmen	42
Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes	234
Total	431
Miscellaneous Class of Employees	29
Total	460

Fourth Division—National Railroad Adjustment Board

220 South State Street, Chicago, Illinois 60604

G. H. Vernon, *Chairman*
B. K. Tucker,¹ *Chairman*
D. E. Watkins, *Vice Chairman*

H. E. Crow² F. Ferlin, Jr.
W. M. Cunningham³ R. F. O'Leary
G. H. Vernon⁴ D. E. Watkins

A. W. Paulos, *Executive Secretary*

¹Replaced Mr. Vernon as Chairman

²B. K. Tucker, substitute for Mr. Crow

³W. F. Euker, substitute for Mr. Cunningham

⁴Resigned

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 divisions. This Division shall consist of six members, three of whom shall be selected by the carriers and three by the national labor organizations of the employees." (Paragraph (h), Section 3, First, Railway Labor Act, 1934).

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 Ry. Co.	1
Atchison, Topeka and Santa Fe Ry. Co.	4
Baltimore and Ohio RR Co.	1
Boston and Maine Corp.	1
Chesapeake and Ohio Ry. Co.	5
Chicago and North Western Transportation Co.	2
Chicago, Milwaukee, St. Paul and Pacific RR Co.	3
Chicago Produce	1
Consolidated Rail Corporation	23
Elgin, Joliet and Eastern Ry. Co.	3
Grand Trunk Western Ry. Co.	1
Houston Belt and Terminal Ry. Co.	3
Illinois Central Gulf RR Co.	1
Indiana Harbor Belt RR Co.	4
Long Island RR	2
Louisville and Nashville RR Co.	3
Missouri Pacific RR Co.	2
National Railroad Passenger Association	3
New Orleans Public Belt RR	1
Norfolk and Western Ry. Co.	1
Pennsylvania Truck Lines Inc.	1
Richmond, Fredricksburg and Potomac Ry. Co.	1
Seaboard Coast Line RR Co.	1
South Buffalo Ry. Co.	1
Southern Pacific Transportation Co. Pacific Div.	3
Southern Ry.	5
Terminal Railroad Association of St. Louis	1
Toledo, Fairport and Lorain	2
Union Pacific RR	1
Union Pacific Fruit Express	1
Washington Terminal Co.	1
Total	83

Organizations—Employees Party to Cases Docketed

	Number of Cases
American Railway Supervisors Association	30
BRAC (RP&SOS)	10
Individual	8
International Longshoremen's Association	2
Police Benevolent Association	1
Railway Employees' Department	1
Railroad Yardmasters of America	30
Western Railway Supervisors Association	1
Total	83



Appendix B

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), October 1, 1978 to September 30, 1979

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Louis Yagoda 2	New Rochelle, NY	October 16, 1978	1727	Central RR Co. of New Jersey (Consolidated Rail Corp.) and Great Lakes and River District Masters, Mates and Pilots
Irwin M. Lieberman 4	Stamford, CT	February 26, 1979	1795	Southern Pacific Transportation Co. and Brotherhood of Maintenance of Way Employees
James F. Searce 2	McLean, VA	September 17, 1979	1837	Norfolk and Western Ry. Co. and Brotherhood of Maintenance of Way Employees
Eugene Mittelman 2	Washington, DC	May 18, 1979	1959	Staten Island Rapid Transit Operating Authority and United Transportation Union (T)
Joseph A. Sickles 3	Bethesda, MD	September 3, 1979	1977	Richmond, Fredericksburg and Potomac RR and United Transportation Union (T)
Dana E. Eischen 4	Ithaca, NY	June 18, 1979	2011	Chicago and Illinois Midland Ry. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Stations Employees
David P. Twomey 4	Chestnut Hill, MA	March 1, 1979	2074	The Long Island Rail Road and United Transportation Union
Robert G. Williams 3	Charlotte, NC	October 24, 1978	2086	Central of Georgia RR Co. and United Transportation Union
David Dolnick 3	Chicago, IL	February 27, 1979	2126	Union Pacific RR Co. and United Transportation Union (C-T)
Nicholas H. Zumas 2	Washington, DC	November 7, 1978	2129	Manufacturers Ry. Co. and United Transportation Union
Murray M. Rohman 2	Fort Worth, TX	March 5, 1979	2164	Missouri-Kansas-Texas RR Co. and United Transportation Union
C. Robert Roadley 2	Williamsburg, VA	August 22, 1979	2176	Delaware and Hudson Ry. Co. (Consolidated Rail Corp.) and Brotherhood of Locomotive Engineers
Joseph A. Sickles 3	Bethesda, MD	February 21, 1979	2195	Norfolk and Western Ry. Co. and Brotherhood of Locomotive Engineers
Leverett Edwards 2	Fort Worth, TX	July 31, 1979	2199	Indiana Harbor Belt RR Co. and United Transportation Union
John B. Criswell 2	Stigler, OK	November 27, 1978	2200	The Denver and Rio Grande Western RR Co. and United Transportation Union (E)
Harold M. Weston 2	New York, NY	October 17, 1978	2204	Delaware and Hudson Ry. Co. and Brotherhood of Locomotive Engineers
A. Thomas Van Wart 3	Salem, NJ	March 14, 1979	2220	The Chesapeake and Ohio Ry. Co. and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	November 13, 1978	2227	The Detroit and Toledo Shore Line RR Co. and United Transportation Union
Irwin M. Lieberman 2	Stamford, CT	March 9, 1979	2234	The Long Island Rail Road and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	January 9, 1979	2239	The Youngstown and Northern RR Co. and United Transportation Union (E)
Irving T. Bergman 2	Mincola, NY	March 26, 1979	2242	The Long Island Rail Road and United Transportation Union
Fred Blackwell 3	Gaithersburg, MD	April 24, 1979	2243	Soo Line RR Co. and United Transportation Union (T-C)
Leverett Edwards 2	Fort Worth, TX	October 16, 1978	2247	San Manuel Arizona RR Co. and United Transportation Union
Leverett Edwards 2	Fort Worth, TX	October 16, 1978	2248	San Manuel Arizona RR Co. and United Transportation Union
Leverett Edwards 2	Fort Worth, TX	October 16, 1978	2249	San Manuel Arizona RR Co. and United Transportation Union
Irwin M. Lieberman 2	Stamford, CT	October 16, 1978	2251	Missouri Pacific RR Co. and Brotherhood Railway Carmen of United States and Canada
Arnold M. Zack 1	Boston, MA	June 6, 1979	2252	Lamoille Valley RR and United Transportation Union
Arthur T. Van Wart 2	Wilmington DE	October 16, 1978	2253	Southern Pacific Transportation Co.—Texas and Louisiana Lines—and United Transportation Union (S)
Leverett Edwards 2	Fort Worth, TX	October 30, 1978	2254	Southern Pacific Transportation Co.—Texas and Louisiana Lines—and Brotherhood of Locomotive Engineers
Bernard Cushman 1	Silver Spring, MD	January 15, 1979	2255	Elgin, Joliet and Eastern Ry. Co. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	August 6, 1979	2255	Elgin, Joliet and Eastern Ry. Co. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	February 12, 1979	2256	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Herbert L. Marx, Jr. 2	New York, NY	December 18, 1978	2257	The Atchison, Topeka and Santa Fe Ry. Co. and International Association of Machinists and Aerospace Workers
David H. Brown 2	Sherman, TX	November 27, 1978	2258	Louisville and Nashville RR Co. and United Transportation Union
Leverett Edwards 2	Fort Worth, TX	October 16, 1978	2259	San Manuel Arizona RR Co. and United Transportation Union
Harold M. Weston 2	New York, NY	October 27, 1978	2260	Soo Line RR Co. and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	January 9, 1979	2261	Fort Worth and Denver Ry. Co. and Brotherhood of Locomotive Engineers
Robert A. Franden 2	Tulsa, OK	November 6, 1978	2262	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and United Transportation Union (E)
Dana E. Eischen 2	Ithaca, NY	October 17, 1978	2263	Consolidated Rail Corp. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Preston J. Moore 2	Oklahoma City, OK	October 17, 1978	2264	National RR Passenger Corp. and United Transportation Union
James F. Searce 2	McLean, VA	October 19, 1978	2265	Union Railroad Co. and United Steelworkers of America—Local 1913
Preston J. Moore	Oklahoma City, OK	January 14, 1979	2266	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Joseph Lazar 2	Boulder, CO	October 19, 1978	2267	Union Pacific RR and Brotherhood of Maintenance of Way Employees
Dana E. Eischen 2	Ithaca, NY	October 19, 1978	2268	Clinchfield RR Co. and Brotherhood of RR Signalmen

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1979—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Arthur T. Van Wart 2	Wilmington, DE	October 24, 1978	2269	Illinois Central Gulf RR and United Transportation Union (C)
A Thomas Van Wart 3	Salem, NJ	August 21, 1979	2269	Illinois Central Gulf RR and United Transportation Union (C)
James C. McBrearty 2	Tucson, AZ	October 24, 1978	2270	Tucson, Cornelia and Gila Bend RR Co. and United Transportation Union
Tedford E. Schoonover 2	Colorado Springs, CO	November 28, 1978	2271	The Colorado and Wyoming Ry. Co. and Brotherhood of Maintenance of Way Employees
Joseph A. Sickles 2	Rockville, MD	October 27, 1978	2272	Norfolk and Western Ry. Co. and United Transportation Union (C)
Robert M. O'Brien 2	Boston, MA	October 27, 1978	2273	Los Angeles Junction Ry. Co. and United Transportation Union (S)
Preston J. Moore 3	Oklahoma City, OK	May 22, 1979	2273	Los Angeles Junction Ry. Co. and United Transportation Union (S)
Murray M. Rohman 2	Fort Worth, TX	November 13, 1978	2274	Illinois Central Gulf RR Co. and United Transportation Union
Harold M. Weston 2	New York, NY	February 13, 1979	2275	Union Pacific RR Co. and United Transportation Union (I)
Harold M. Weston 2	New York, NY	February 13, 1979	2276	The Ogden Union Ry. and Depot Co. and United Transportation Union (I)
Nicholas H. Zumas 2	Washington, DC	October 31, 1978	2277	Western Maryland Ry. Co.—Chesapeake and Ohio Ry. Co. and American Railway Supervisors Association
Frederick R. Blackwell 1	Gaithersburg, MD	November 3, 1978	2278	Kansas City Terminal Ry. Co. and United Transportation Union
Arthur T. Van Wart 2	Waquoit, MA	September 28, 1979	2278	Kansas City Terminal Ry. Co. and United Transportation Union
Eugene Mittelman 2	Washington, DC	November 3, 1978	2279	The Port Authority Trans-Hudson Corp. and Brotherhood Railway Carmen of the United States and Canada
John B. Criswell 2	Stigler, OK	October 31, 1978	2280	Soo Line RR Co. and United Transportation Union (I)
Fred Blackwell 3	Gaithersburg, MD	April 25, 1979	2280	Soo Line RR Co. and United Transportation Union (I)
Irwin M. Lieberman 2	Stamford, CT	October 31, 1978	2281	The Atchison, Topeka and Santa Fe Ry. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
John B. Criswell 2	Stigler, OK	October 31, 1978	2282	Joint Texas Division of Chicago, Rock Island and Pacific RR Co.—Fort Worth and Denver Ry. Co.—and United Transportation Union
H. Raymond Cluster 2	North Truro, MA	November 3, 1978	2283	Union Pacific RR Co. and United Transportation Union (C-T)
David H. Brown 2	Sherman, TX	November 13, 1978	2284	Houston Belt and Terminal Ry. Co. and United Transportation Union
John B. Criswell 2	Stigler, OK	November 3, 1978	2285	Burlington Northern and United Transportation Union (I)
Dana W. Sempliner 2	Grosse Pointe Farms, MI	March 9, 1979	2286	Detroit and Mackinac Ry. Co. and United Transportation Union
Arthur E. Eischen 2	Ithaca, NY	November 3, 1978	2287	Consolidated Rail Corp. and Railroad Yardmasters of America
Leverett Edwards 2	Fort Worth, TX	November 27, 1978	2288	The Atchison, Topeka and Santa Fe Rwy. Co. and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Wilmington, DE	November 13, 1978	2289	Houston Belt and Terminal Ry. Co. and United Transportation Union (T)
H. Raymond Cluster 2	North Truro, MA	November 13, 1978	2290	The Baltimore and Ohio RR Co., the Baltimore and Ohio Chicago Terminal RR Co. and United Transportation Union (T)
Burl E. Hays 2	Oklahoma City, OK	November 29, 1978	2291	Louisville and Nashville RR Co. and American Train Dispatchers Association
David H. Brown 2	Sherman, TX	February 27, 1979	2292	Louisville and Nashville RR Co. and United Transportation Union (F)
Nicholas H. Zumas 2	Washington, DC	November 27, 1978	2294	Richmond, Fredericksburg and Potomac RR Co. and Brotherhood of RR Signalmen
David H. Brown 2	Sherman, TX	November 27, 1978	2295	Burlington Northern and United Transportation Union
John B. Criswell 2	Stigler, OK	November 27, 1978	2296	National RR Passenger Corp.—Allied Services Division—and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Jacob Seidenberg 2	Falls Church, VA	November 28, 1978	2297	Former Penn Central Transportation Co. and United Transportation Union
Preston J. Moore 2	Oklahoma City, OK	November 27, 1978	2298	Missouri Pacific RR Co. and Brotherhood of RR Signalmen
Arthur T. Van Wart 2	Wilmington, DE	November 29, 1978	2299	Canton RR Co. and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	November 30, 1978	2300	Southern Pacific Transportation Co. (Pacific Lines) and American Ry. Supervisors Association
A. Thomas Van Wart 2	Salem, NJ	January 11, 1979	2301	Pittsburg and Ohio Valley Ry. Co. and United Transportation Union
Irvin M. Lieberman 2	Stamford, CT	December 11, 1978	2302	Southern Ry. System and Brotherhood Ry. Carmen of United States and Canada
Arthur T. Van Wart 2	Wilmington, DE	February 9, 1979	2303	Union Pacific RR Co. and United Transportation Union (E)
David P. Twomey 2	Chestnut Hill, MA	December 13, 1978	2305	Burlington Northern and United Transportation Union (S)
Nicholas H. Zumas 2	Washington, DC	December 13, 1978	2306	Boston and Maine Corp. and International Brotherhood of Electrical Workers
Robert M. O'Brien 3	Boston, MA	March 5, 1979	2306	Boston and Maine Corp. and International Brotherhood of Electrical Workers
Irving T. Bergman 2	Mineola, NY	January 4, 1979	2307	The Long Island Rail Road Co. and International Brotherhood of Firemen and Oilers, Helpers, Roundhouse and Ry. Shop Laborers
Nicholas H. Zumas 2	Washington, DC	January 5, 1979	2308	The Long Island Rail Road and Brotherhood of Locomotive Engineers
Nicholas H. Zumas 2	Washington, DC	January 9, 1979	2309	The Denver and Rio Grande Western RR Co. and Brotherhood of Locomotive Engineers
Dana E. Eischen 2	Ithaca, NY	January 29, 1979	2310	Burlington Northern and International Brotherhood of Firemen and Oilers, System Council No. 15
Arthur T. Van Wart 2	Wilmington, DE	January 9, 1979	2311	The Lake Terminal RR Co. and United Transportation Union (E)
Arthur T. Van Wart 2	Wilmington, DE	January 9, 1979	2312	The Lake Terminal RR Co. and United Transportation Union (T)
Richard R. Kashner 1	Bryn Mawr, PA	April 18, 1979	2313	The Delaware and Hudson Ry. Co. and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	May 11, 1979	2313	The Delaware and Hudson Ry. Co. and Brotherhood of Locomotive Engineers
Kay McMurray 2	Bethesda, MD	January 16, 1979	2314	Houston Belt and Terminal Ry. Co. and Brotherhood of Locomotive Engineers
Warren S. Lane 2	Lakeland, FL	February 8, 1979	2315	Detroit, Toledo and Ironton RR Co. and United Transportation Union
David H. Brown 2	Sherman, TX	January 16, 1979	2316	Georgia RR and United Transportation Union (C-T)
Harold M. Weston 2	New York, NY	January 15, 1979	2317	Burlington Northern and United Transportation Union
Jacob Seidenberg 2	Falls Church, VA	April 6, 1979	2318	The Cuyahoga Valley Ry. Co. and United Transportation Union (T)
James C. McBrearty 2	Tucson, AZ	February 8, 1979	2319	San Manuel Arizona RR Co. and United Transportation Union
William M. Edgett 1	Ellicott City, MD	June 27, 1979	2320	Missouri-Kansas-Texas RR Co. and United Transportation Union (T-C)

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1979—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Walter L. Eisenberg 2	Brooklyn, NY	February 8, 1979	2321	Staten Island Rapid Transit Operating Authority and International Association of Machinists and Aerospace Workers
Irwin M. Lieberman 2	Stamford, CT	February 13, 1979	2322	Southern Pacific Transportation Co. Brotherhood of Railroad Signalmen
Nicholas H. Zumas 2	Washington, DC	January 29, 1979	2323	The Long Island Rail Road Co. and Police Benevolent Association
Jonathan S. Liebowitz 3	White Plains, NY	February 22, 1979	2323	The Long Island Rail Road Co. and Police Benevolent Association
Leverett Edwards 2	Fort Worth, TX	February 9, 1979	2326	Missouri Pacific RR Co. and Brotherhood of Locomotive Engineers
Irwin M. Lieberman 2	Stamford, CT	February 9, 1979	2328	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Jacob Seidenberg 2	Falls Church, VA	April 2, 1979	2330	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and United Transportation Union (C-T)
Preston J. Moore 2	Oklahoma City, OK	March 26, 1979	2331	The Akron, Canton and Youngstown RR Co. and United Transportation Union (T)
James F. Searce 2	McLean, VA	April 17, 1979	2332	North Carolina State Ports Authority and International Longshoremen's Association—Local 1850—Morehead City, North Carolina
Arthur T. Van Wart 2	Wilmington, DE	February 13, 1979	2333	Norfolk and Western Ry. Co. and United Transportation Union
Robert M. O'Brien 2	Boston, MA	March 26, 1979	2334	The Cuyahoga Valley RR Co. and United Steelworkers of America
Arthur T. Van Wart 2	Wilmington, DE	February 21, 1979	2335	Southern Ry. System and Brotherhood Railway Carmen of the United States and Canada
Arthur T. Van Wart 2	Wilmington, DE	March 14, 1979	2336	Union Pacific RR Co. and United Transportation Union (T-C)
A. Thomas Van Wart 2	Salem, NJ	February 22, 1979	2338	South Buffalo Ry. Co. and United Transportation Union
Harold M. Weston 2	New York, NY	February 27, 1979	2339	Chicago and North Western Transportation Co. and International Brotherhood of Electrical Workers
Arthur T. Van Wart 2	Wilmington, DE	February 27, 1979	2340	Consolidated Rail Corp. and United Transportation Union
Nicholas H. Zumas 2	Washington, DC	March 19, 1979	2341	Norfolk and Western Ry. Co. and Brotherhood of Locomotive Engineers
Nicholas H. Zumas 2	Washington, DC	February 22, 1979	2342	Louisville and Nashville RR Co. and Brotherhood of Locomotive Engineers
Murray M. Rohman 1	Fort Worth, TX	March 2, 1979	2343	Houston Belt and Terminal Ry. Co. and Brotherhood of Locomotive Engineers
Richard R. Kasher 2	Bryn Mawr, PA	September 28, 1979	2344	Southern Pacific Transportation Co.—Texas and Louisiana Lines and Brotherhood of Locomotive Engineers
Arthur W. Sempliner 2	Grosse Pointe Farms, MI	May 22, 1979	2345	Louisiana and Arkansas Ry. Co. and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Wilmington, DE	February 26, 1979	2346	Chicago and North Western Transportation Co. and United Transportation Union
Preston J. Moore 2	Oklahoma City, OK	March 5, 1979	2347	Terminal Railway—Alabama State Docks and Brotherhood of Locomotive Engineers
James P. Gleason 3	Silver Spring, MD	August 7, 1979	2347	Terminal Railway—Alabama State Docks and Brotherhood of Locomotive Engineers
William M. Edgett 1	Ellicott City, MD	March 26, 1979	2348	St. Louis-San Francisco Ry. Co. and Brotherhood of Railroad Signalmen
Robert M. O'Brien 2	Boston, MA	March 30, 1979	2349	Southern Pacific Transportation Co.—Including former El Paso and Southwestern System and Western Railway Supervisors Association
Richard R. Kasher 2	Bryn Mawr, PA	March 9, 1979	2350	The Long Island Rail Road and United Transportation Union
Jacob Seidenberg 2	Falls Church, VA	April 10, 1979	2351	Missouri Pacific RR Co. and Brotherhood of Locomotive Engineers
David H. Brown 2	Sherman, TX	March 19, 1979	2352	The Colorado and Southern Ry. Co. and United Transportation Union
Bernard Cushman 2	Silver Spring, MD	March 27, 1979	2353	Consolidated Rail Corp. and United Transportation Union (S)
Nicholas H. Zumas 2	Washington, DC	April 10, 1979	2354	The Bessemer and Lake Erie RR Co. and United Transportation Union
Harold M. Weston 2	New York, NY	March 19, 1979	2355	Seaboard Coast Line RR Co. and System Federation No. 42, Ry. Employees Department and Brotherhood Railway Carmen of United States and Canada
Louis Yagoda 2	New Rochelle, NY	March 19, 1979	2356	Burlington Northern and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	April 23, 1979	2357	Elgin, Joliet and Eastern Ry. Co. and United Transportation Union (E)
Jacob Seidenberg 2	Falls Church, VA	April 6, 1979	2358	The Cuyahoga Valley Ry. Co. and United Transportation Union (E)
Joseph S. Kane 2	Seattle, WA	March 29, 1979	2359	Pacific and Arctic Ry. and Navigation Co. and International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America
John B. Criswell 1	Stigler, OK	May 18, 1979	2360	San Manuel Arizona RR and United Transportation Union
William M. Edgett 1	Ellicott City, MD	June 29, 1979	2362	The Belt Ry. Co. of Chicago and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	August 25, 1979	2363	Louisville and Nashville RR Co. and Brotherhood of Maintenance of Way Employees
Leverett Edwards 2	Fort Worth, TX	March 26, 1979	2364	The Atchison, Topeka and Santa Fe Ry. Co. and United Transportation Union (C-T-Y)
A. Thomas Van Wart 2	Salem, NJ	March 30, 1979	2365	The Atchison, Topeka and Santa Fe Ry. Co. and United Transportation Union (E)
Joseph A. Sickles 2	Bethesda, MD	March 26, 1979	2366	Illinois Central Gulf RR and Brotherhood of Maintenance of Way Employees
David Dolnick 2	Chicago, IL	March 27, 1979	2367	Union Pacific RR Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart 2	Wilmington, DE	April 2, 1979	2368	The Atchison, Topeka and Santa Fe Ry. Co. and United Transportation Union (C-T-Y)
Kay McMurray 2	Bethesda, MD	April 4, 1979	2370	Norfolk and Western Ry. Co. and Brotherhood of RR Signalmen
Irwin M. Lieberman 2	Stamford, CT	April 4, 1979	2371	The Texas Mexican Ry. Co. and Brotherhood of Railroad Signalmen
David H. Brown 2	Sherman, TX	April 12, 1979	2372	Clinchfield RR Co. and United Transportation Union
Nicholas H. Zumas 2	Washington, DC	April 6, 1979	2373	Norfolk and Western Ry. Co. and Brotherhood of Locomotive Engineers
Nicholas H. Zumas 2	Washington, DC	April 25, 1979	2374	Burlington Northern and United Transportation Union
Bernard Cushman 2	Silver Spring, MD	April 20, 1979	2375	Consolidated Rail Corp. and United Transportation Union
Irwin M. Lieberman 2	Stamford, CT	April 17, 1979	2376	The Western Pacific RR Co. and Brotherhood of Railroad Signalmen
Arthur W. Sempliner 2	Grosse Pointe Farms, MI	April 23, 1979	2377	Toledo, Peoria and Western RR Co. and United Transportation Union (T-E)
A. Thomas Van Wart 2	Salem, NJ	April 23, 1979	2378	The Atchison, Topeka and Santa Fe Ry. Co. and United Transportation Union (C-T-Y)

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1979—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
David H. Brown 2	Sherman, TX	April 23, 1979	2379	Denver and Rio Grande Western RR Co. and United Transportation Union (S)
John B. Criswell 2	Stigler, OK	September 10, 1979	2380	Louisville and Nashville RR Co. and United Transportation Union
James F. Searce 2	McLean, VA	April 25, 1979	2381	Union Railroad Co. and United Steelworkers of America—Local 1913
Arthur T. Van Wart 2	Wilmington, DE	May 7, 1979	2382	Birmingham Southern RR Co. and United Steelworkers of America (AFL-CIO)
A. Thomas Van Wart 3	Salem, NJ	June 19, 1979	2382	Birmingham Southern RR Co. and United Steelworkers of America (AFL-CIO)
A. Thomas Van Wart 2	Salem, NJ	June 8, 1979	2383	The Atchison, Topeka and Santa Fe Ry. Co. (Eastern and Western Lines excluding Northern and Southern Divisions) and United Transportation Union (C-T-Y)
C. Robert Roadley 2	Montross, VA	June 22, 1979	2384	The River Terminal Ry. Co. and United Transportation Union
Leverett Edwards 2	Fort Worth, TX	May 10, 1979	2385	The Atchison, Topeka and Santa Fe Ry. Co. (Northern and Southern Divisions) and United Transportation Union (E)
Robert J. Ables 2	Washington, DC	May 10, 1979	2387	The Atchison, Topeka and Santa Fe Ry. Co. (Chicago Terminal Division) and United Transportation Union (C-T-Y)
Dana E. Eischen 2	Ithaca, NY	May 7, 1979	2388	South Buffalo Ry. Co. and Railroad Yardmasters of America
Nicholas H. Zumas 2	Washington, DC	July 25, 1979	2389	The Newburgh and South Shore Ry. Co. and United Transportation Union (E)
Dana E. Eischen 2	Ithaca, NY	May 21, 1979	2390	Genesee and Wyoming RR Co. and United Steelworkers of America (AFL-CIO)
Harold M. Weston 2	New York, NY	May 10, 1979	2391	The Atchison, Topeka and Santa Fe Ry. Co. (Eastern and Western Lines, except Northern and Southern Divisions) and United Transportation Union (E)
Arthur T. Van Wart 2	Wilmington, DE	May 7, 1979	2392	The Atchison, Topeka and Santa Fe Ry. Co. (Eastern and Western Lines, excluding Northern and Southern Divisions) and United Transportation Union (E)
Herbert L. Marx, Jr. 2	New York, NY	May 30, 1979	2393	Port Authority Trans-Hudson Corp. and United Transportation Union
James F. Searce 2	McLean, VA	May 21, 1979	2394	Auto-Train Corp. and United Transportation Union
Phillip G. Sheridan 2	Everett, WA	May 9, 1979	2395	White Pass and Yukon Route RR and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	May 7, 1979	2396	Union Pacific Railroad Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart 2	Wilmington, DE	May 7, 1979	2397	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and United Transportation Union (S)
David Dolnick 2	Chicago, IL	May 18, 1979	2398	St. Louis-San Francisco Ry. Co. and Brotherhood of Railroad Signalmen
Harold M. Weston 2	New York, NY	May 29, 1979	2400	Burlington Northern and United Transportation Union (T)
William M. Edgett 2	Ellicott City, MD	May 22, 1979	2401	Baltimore and Ohio RR Co. and International Association of Machinists and Aerospace Workers
Don J. Harr 2	Oklahoma City, OK	May 18, 1979	2402	San Manuel Arizona RR Co. and United Transportation Union
P. M. Williams 2	Oklahoma City, OK	May 18, 1979	2403	San Manuel Arizona RR Co. and United Transportation Union
Frederick R. Blackwell 1	Gaithersburg, MD	May 22, 1979	2404	Southeastern Michigan Transportation Authority and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Neil P. Speirs 2	Rohnert Park, CA	May 11, 1979	2405	Oregon, California and Eastern Ry. and United Transportation Union
Richard R. Kasher 2	Bryn Mawr, PA	May 22, 1979	2406	National Railroad Passenger Corp. and Brotherhood of Maintenance of Way Employees
Arthur T. Van Wart 2	Wilmington, DE	May 22, 1979	2407	The Pittsburgh and Lake Erie RR Co. and The Lake Erie and Eastern RR Co. and United Transportation Union (T)
A. Thomas Van Wart 2	Salem, NJ	June 6, 1979	2408	Delaware and Hudson Ry. Co. and United Transportation Union
Louis Yagoda 2	New Rochelle, NY	May 22, 1979	2409	Consolidated Rail Corp. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Preston J. Moore 2	Oklahoma City, OK	May 22, 1979	2410	Los Angeles Junction Ry. Co. and United Transportation Union (S)
David H. Brown 2	Sherman, TX	August 28, 1979	2411	Louisville and Nashville RR Co. and United Transportation Union
Robert O. Boyd 2	Alexandria, VA	May 23, 1979	2412	The Atchison, Topeka and Santa Fe Ry. Co. (Eastern and Western lines excluding Northern and Southern Divisions) and Brotherhood of Locomotive Engineers
Neil P. Speirs 2	Rohnert Park, CA	May 23, 1979	2413	Los Angeles Junction Ry. Co. and United Transportation Union (E)
John B. Criswell 2	Stigler, OK	May 30, 1979	2414	Burlington Northern and United Transportation Union (T)
David Dolnick 2	Chicago, IL	May 30, 1979	2415	Modesto and Empire Traction Co. and United Transportation Union
James F. Searce 2	McLean, VA	June 29, 1979	2416	The Baltimore and Ohio Ry. Co. and System Federation No. 4 Railway Employees Department, AFL-CIO, and Brotherhood Railway Carmen of United States and Canada
William M. Edgett 2	Ellicott City, MD	June 5, 1979	2417	Chicago and North Western Transportation Co. and United Transportation Union (E)
Joseph A. Sickles 2	Bethesda, Md	June 5, 1979	2418	Norfolk and Western Transportation Co. United Transportation Union (E)
Irwin M. Lieberman 2	Stamford, CT	June 12, 1979	2419	Chicago, Rock Island and Pacific RR Co. and Railroad Yardmasters of America
Louis Yagoda 2	New Rochelle, NY	June 18, 1979	2420	Consolidated Rail Corp. and Brotherhood of Maintenance of Way Employees
Neil P. Speirs 2	Rohnert Park, CA	June 20, 1979	2421	Southern Pacific Transportation Co. (Pacific Lines) (former Pacific Electric Railway Co.) and Brotherhood of Locomotive Engineers
P. C. Carter 2	Wheaton, IL	June 19, 1979	2422	The Atchison, Topeka and Santa Fe Ry. Co. and International Brotherhood of Firemen and Oilers
Harold M. Weston 2	New York, NY	June 26, 1979	2424	Chesapeake and Ohio Railway Co. and United Transportation Union
Eugene Mittelman 2	Washington, DC	August 2, 1979	2426	Detroit, Toledo and Ironton RR Co. and United Transportation Union
Louis Yagoda 2	New Rochelle, NY	June 28, 1979	2427	Burlington Northern and United Transportation Union

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1979—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Nicholas H. Zumas 2	Washington, DC	August 6, 1979	2428	The River Terminal Ry. Co. and United Transportation Union
Jonathan S. Liebowitz 2	White Plains, NY	July 9, 1979	2429	The Long Island Rail Road Co. and Brotherhood of Railroad Signalmen
Jay McMurray 2	Bethesda, MD	July 16, 1979	2430	Norfolk and Western Ry. Co. and International Brotherhood of Firemen and Oilers
John J. Ward 2	Nashua, NH	July 25, 1979	2433	Pittsburgh and Lake Erie RR Co.—The Lake Erie and Eastern RR Co. and Railroad Yardmasters of America
Arthur T. Van Wart 2	Wauquoit, MA	July 25, 1979	2434	Union Pacific RR Co.—Eastern District—and United Transportation Union (E)
Joseph A. Sickles 2	Bethesda, MD	July 31, 1979	2435	Illinois Central Gulf RR and United Transportation Union
Louis Yagoda 2	New Rochelle, NY	July 31, 1979	2436	National RR Passenger Corp. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Julius N. Draznin 2	Marina Del Rey, CA	August 8, 1979	2437	Tucson, Cornelia and Gila Bend RR and United Transportation Union
Erwin M. Lieberman 2	Stamford, CT	August 6, 1979	2439	Southern Pacific Transportation Co. (Pacific Lines) and Brotherhood of Maintenance of Way Employees
Leverett Edwards 2	Fort Worth, TX	August 8, 1979	2440	Norfolk and Western Ry. Co. and United Transportation Union (C-E-T)
Jacob Seidenberg 2	Falls Church, VA	August 6, 1979	2441	The Pittsburgh and Lake Erie RR Co.—The Lake Erie and Eastern RR Co. and Railroad Yardmasters of America
Leverett Edwards 2	Fort Worth, TX	August 6, 1979	2443	Missouri Pacific RR Co. and United Transportation Union (C-T)
Arthur T. Van Wart 2	Wauquoit, MA	August 6, 1979	2444	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and Brotherhood of Maintenance of Way Employees
Levse Simons 2	New York, NY	August 13, 1979	2445	National RR Passenger Corp. and Amtrak Service Workers Council
Eugene Mittelman 2	Washington, DC	August 15, 1979	2446	Wabash Valley RR Co. and International Brotherhood of Electrical Workers
H. Raymond Cluster 2	North Truro, MA	August 21, 1979	2447	Central Vermont Ry. Inc. and Brotherhood of Locomotive Engineers
David Dolnick 2	Chicago, IL	August 28, 1979	2452	Western Maryland Ry. Co. and Brotherhood of Maintenance of Way Employees
Jelson M. Bortz 2	Kitty Hawk, NC	September 4, 1979	2454	Norfolk and Western Ry. Co. and United Transportation Union (E)
Arthur W. Sempliner 2	Grosse Pointe Farms, MI	September 5, 1979	2455	Illinois Terminal RR Co. and United Transportation Union
Arthur T. Van Wart 2	Wauquoit, MA	September 3, 1979	2459	North Carolina State Ports Authority and International Longshoremen's Association (AFL-CIO) Local 1426-A
A. Thomas Van Wart 2	Salem, NJ	September 3, 1979	2460	Soo Line RR Co. and United Transportation Union (T-C)
A. Thomas Van Wart 2	Salem, NJ	September 3, 1979	2461	The Atchison, Topeka and Santa Fe Ry. Co. (Coast Lines) and United Transportation Union (E)
William M. Edgett 2	Ellicott City, MD	September 4, 1979	2463	The Baltimore and Ohio RR Co. and American Train Dispatchers Association
Leverett Edwards 2	Fort Worth, TX	September 18, 1979	2465	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and Brotherhood of Locomotive Engineers
Warren S. Lane 2	Lakeland, FL	September 13, 1979	2467	Seaboard Coast Line RR Co. and Brotherhood Railway Carmen of United States and Canada
Leverett Edwards 2	Fort Worth, TX	September 17, 1979	2468	Houston Belt and Terminal Ry. Co. and Brotherhood of Locomotive Engineers
Joseph A. Sickles 2	Bethesda, MD	September 17, 1979	2469	Richmond, Fredericksburg and Potomac RR Co. and Brotherhood of Locomotive Engineers
Joseph A. Sickles 2	Bethesda, MD	September 21, 1979	2470	Seaboard Coast Line RR Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart 2	Wilmington, DE	September 27, 1979	2473	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Dana E. Eischen 2	Ithaca, NY	September 27, 1979	2474	Norfolk and Western Ry. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees

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

2. Arbitrators Appointed—Arbitration Boards, October 1, 1978 to September 30, 1979

Name	Residence	Date of Appointment	Arbitration Board Case No.	Parties
David P. Twomey	Chestnut Hill, MA	November 8, 1978	Arbitration No. 378 No Case Number	Illinois Central Gulf RR Co. and Brotherhood of Locomotive Engineers
Arthur W. Sempliner	Grosse Pointe Farms, MI	November 28, 1978	Arbitration No. 379 Case No. A-8830	Grant Trunk Western RR Co. and United Transportation Union
Preston J. Moore	Oklahoma City, OK	February 8, 1979	Arbitration No. 380 Case No. A-8830	Illinois Central Gulf RR Co. and United Transportation Union (C&T&E)
David P. Twomey	Chestnut Hill, MA	February 8, 1979	Arbitration No. 381 Case No. A-8830	Illinois Central Gulf RR Co. and United Transportation Union
Arthur T. Van Wart	Wauquoit, MA	May 29, 1979	Arbitration No. 382 Case No. A-8830	Norfolk and Western Railway Co. and United Transportation Union
Joseph A. Sickles	Bethesda, MD	August 20, 1979	Arbitration No. 383 Case No. A-8830	Consolidated Rail Corporation and United Transportation Union

2a. Arbitrators Appointed — Task Force Arbitrations, October 1, 1978 to September 30, 1979

Name	Residence	Date of Appointment	Task Force Board No.	Parties
Nicholas H. Zumas	Washington, DC	February 8, 1979	17	Norfolk and Western Railway Company and United Transportation Union (C&T&E)
William M. Edgett	Ellicott City, MD	May 22, 1979	18	Delaware and Hudson Railway Company and United Transportation Union
David P. Twomey	Squantum, MA	March 27, 1979	19	Delaware and Hudson Railway Company and United Transportation Union

3. Neutrals Appointed—Special Board of Adjustment, October 1, 1978 to September 30, 1979

Name	Residence	Date of Appointment	Special Board No.	Parties
Jacob Seidenberg I	Falls Church, VA	February 26, 1979	18	Southern Pacific Transportation Co. and United Transportation Union
Jacob Seidenberg I	Falls Church, VA	February 26, 1979	21	Southern Pacific Transportation Co. and United Transportation Union
Jacob Seidenberg I	Falls Church, VA	February 26, 1979	107	Southern Pacific Transportation Co. and United Transportation Union
Jacob Seidenberg I	Falls Church, VA	February 26, 1979	123	Southern Pacific Transportation Co. and United Transportation Union
Irwin M. Lieberman I	Stamford, CT	July 3, 1979	280	St. Louis-Southwestern Ry. Co. and Brotherhood of Maintenance of Way Employees
A. Thomas Van Wart I	Salem, NJ	May 10, 1979	423	Port Terminal RR Association and United Transportation Union
James F. Searce I	McLean, VA	June 4, 1979	570	National Ry. Labor Conference and Ry. Employees' Department
Richard R. Kasher I	Bryn Mawr, PA	March 5, 1979	884	Long Island RR and United Transportation Union
Dana E. Eischen	Ithaca, NY	February 27, 1979	891	Southern RR Co., Central of Georgia RR Co. and Brotherhood of RR, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Robert M. O'Brien	Boston, MA	February 28, 1979	892	The National Carriers Conference Committee and United Transportation Union and Brotherhood of Locomotive Engineers
Arthur W. Sempliner	Grosse Pointe Farms, MI	March 9, 1979	893	Toledo, Peoria and Western RR Co. and Brotherhood of RR Signalmen
Harold M. Weston	New York, NY	April 16, 1979	894	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Arthur T. Van Wart	Wilmington, DE	April 16, 1979	894	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Arthur W. Sempliner	Grosse Pointe Farms, MI	April 16, 1979	894	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
William M. Edgett I	Ellicott City, MD	April 24, 1979	894	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Jacob Seidenberg	Falls Church, VA	March 19, 1979	895	Chicago, Rock Island and Pacific RR Co. and Brotherhood of Ry., Airline and Steamship Clerks Freight Handlers, Express and Station Employees
Dana E. Eischen	Ithaca, NY	March 30, 1979	896	Norfolk and Western Ry. Co and Brotherhood of Ry., Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart	Wauquoit, MA	July 17, 1979	897	Seaboard Coast Line RR Co. and American Ry. Supervisors Association
Jacob Seidenberg	Falls Church, VA	September 4, 1979	898	Illinois Central Gulf RR and Brotherhood of Ry., Airline and Steamship Clerks, Freight Handlers, Express and Station Employees

I. Neutral resigned

4. Neutrals Nominated Pursuant to Union Shop Agreements, October 1, 1978 to September 30, 1979

Name	Residence	Date of Appointment	Carrier	Organization	Individual Involved
Bernard Cushman	Silver Spring, MD	August 16, 1979	Consolidated Rail Corporation	Transportation-Communication Division, Brotherhood of Ry., Airline, and Steamship Clerks, Freight Handlers, Express and Station Employees	Jane K. Wolfe

5. Referees Appointed—System Board of Adjustment, October 1, 1978 to September 30, 1979 (Airlines)

Name	Residence	Date of Appointment	Parties
David E. Feller*	Berkeley, CA	October 5, 1978	Trans International Airlines and Air Line Pilots Association
Panel submitted on October 5, 1978, but dispute was resolved by the parties			Piedmont Airlines, Inc. and International Association of Machinists and Aerospace Workers
John Phillip Linn*	Denver, CO	October 5, 1978	Hughes Airwest and Air Line Employees Association
Howard G. Gamser*	Washington, DC	October 30, 1978	Piedmont Airlines, Inc. and Air Line Pilots Association
Edgar Allan Jones, Jr.	Los Angeles, CA	October 30, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
B. Gillingham*	Seattle, WA	November 6, 1978	Trans International Airlines, Inc. and Air Line Pilots Association
Yaron R. Abernethy*	Lubbock, TX	November 6, 1978	Braniff International Airways and Association of Flight Attendants
Panel submitted on November 14, 1978, but dispute was resolved without arbitration			Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
Panel submitted on December 13, 1978, but arbitrator has not been selected as yet			Pan American World Airways, Inc. and Transport Workers Union of America
Berbert L. Marx, Jr.*	New York, NY	December 13, 1978	Pan American World Airways, Inc. and Transport Workers Union of America
Paul D. Hanlon	Portland, OR	December 18, 1978	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Panel submitted December 27, 1978, but parties have not selected an arbitrator as yet			Aerolines Argentinas and Transport Workers Union of America
Villiam H. Coburn	Alexandria, VA	January 15, 1979	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Ma Robins	New York, NY	January 15, 1979	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Francis J. Robertson	Chevy Chase, MD	January 15, 1979	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Jacob Seidenberg	Falls Church, VA	January 15, 1979	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Thomas G.S. Christensen	New York, NY	January 16, 1979	Seaboard World Airlines, Inc. and Air Line Pilots Association
Anne H. Miller*	Glenview, IL	January 16, 1979	Braniff International Airways and Association of Flight Attendants
Anne H. Miller*	Glenview, IL	January 16, 1979	Braniff International Airways and Association of Flight Attendants
erry L. Goodman*	Tulsa, OK	January 16, 1979	Braniff International Airways and Association of Flight Attendants
Lara H. Friedman*	New York, NY	January 16, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Francis A. O'Neill, Jr.*	Manasquan, NJ	January 16, 1979	Braniff International Airways and Association of Flight Attendants
B. Gillingham*	Seattle, WA	January 17, 1979	Trans International Airlines, Inc. and Air Line Pilots Association
Ma Robins*	New York, NY	January 17, 1979	Qantas Airways, Ltd. and International Association of Machinists and Aerospace Workers
Panel submitted on January 17, 1979 but parties have not selected an arbitrator as yet			Qantas Airways, Ltd., and International Association of Machinists and Aerospace Workers
Panel submitted on January 17, 1979 but parties have not selected an arbitrator as yet			Trans International Airlines, Inc. and Air Line Pilots Association
Panel submitted on January 17, 1979 but parties have not selected an arbitrator as yet			Trans International Airlines, Inc. and Air Line Pilots Association
Panel submitted on January 17, 1979, but parties resolved dispute without arbitration			Trans International Airlines and Air Line Pilots Association
Edgar A. Jones, Jr.*	Los Angeles, CA	January 17, 1979	Trans International Airlines and Air Line Pilots Association
Jacob Seidenberg*	Falls Church, VA	January 17, 1979	Trans International Airlines and Air Line Pilots Association
Howard S. Block*	Santa Ana, CA	January 17, 1979	Trans International Airlines and Air Line Pilots Association
James C. Vadakin	Coral Gables, FL	January 22, 1979	Airlift International, Inc. and Association of Flight Attendants
Ma Klaus*	New York, NY	January 22, 1979	Pan American World Airways and Transport Workers Union of America
Iva Robins	New York, NY	January 22, 1979	Airlift International, Inc. and Association of Flight Attendants
Glady's Gershenfeld	Flourtown, PA	January 23, 1979	Airlift International, Inc. and Association of Flight Attendants
Howard G. Gamser	Washington, DC	January 23, 1979	Airlift International, Inc. and Association of Flight Attendants
Anne H. Woolf	Norman, OK	January 23, 1979	Airlift International, Inc. and Association of Flight Attendants
James J. Sherman	Tampa, FL	January 23, 1979	Airlift International, Inc. and Association of Flight Attendants
Francis J. Robertson	Chevy Chase, MD	January 23, 1979	Airlift International, Inc. and Association of Flight Attendants
Wreston J. Moore*	Oklahoma City, OK	January 29, 1979	Braniff International Airways and International Association of Machinists and Aerospace Workers
Bernard Cushman*	Silver Spring, MD	February 8, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Panel submitted on February 9, 1979, but parties have not selected an arbitrator as yet			Aerolines Argentinas and Transport Workers Union of America
Panel submitted on March 13, 1979, but parties have not selected an arbitrator as yet			Texas International Airlines and Association of Flight Attendants
Barbara W. Doering*	West Lafayette, IN	March 26, 1979	Alaska Airlines and Association of Flight Attendants
Panel submitted on March 26, 1979, but dispute was resolved without arbitration			Alaska Airlines and Association of Flight Attendants
Ruth E. Kahn*	Birmingham, MI	March 26, 1979	Alaska Airlines and Association of Flight Attendants
Edford E. Schoonover*	Colorado Springs, CO	March 26, 1979	Alaska Airlines and Association of Flight Attendants
Joseph A. Sinclitico*	Tacoma, WA	March 26, 1979	Alaska Airlines and Association of Flight Attendants
L. Keith Mann*	Stanford, CA	March 26, 1979	Alaska Airlines and Association of Flight Attendants
Four Panels submitted on March 26, 1979 but parties have not selected an arbitrator as yet			Trans International Airlines and Air Line Pilots Association
Three Panels submitted on March 27, 1979, but parties have not selected an arbitrator as yet			Braniff International Airways and Association of Flight Attendants
Robert B. Moberly*	Gainesville, FL	March 27, 1979	Pan American World Airways and International Brotherhood of Teamsters
Russell A. Smith*	Naples, FL	March 27, 1979	Pan American World Airways and International Brotherhood of Teamsters
Bernard Cushman	Silver Spring, MD	March 27, 1979	Ozark Air Lines, Inc. and Air Line Pilots Association
Panel submitted March 28, 1979, but parties have not selected an arbitrator as yet			Piedmont Airlines, Inc. and Air Line Pilots Association
James J. Sherman*	Tampa, FL	March 28, 1979	Piedmont Airlines, Inc. and Association of Flight Attendants
Preston J. Moore	Oklahoma City, OK	March 28, 1979	Ozark Air Lines and Air Line Pilots Association
Richard R. Kasher*	Bryn Mawr, PA	March 29, 1979	Capitol International Airlines and International Brotherhood of Teamsters
Richard R. Kasher*	Bryn Mawr, PA	March 29, 1979	Capitol International Airlines and International Brotherhood of Teamsters
Panel submitted on April 11, 1979 but parties resolved dispute before arbitration			Tan Airlines, Inc. and International Association of Machinists and Aerospace Workers
Panel submitted on April 12, 1979 but parties resolved dispute before arbitration			Piedmont Airlines, Inc. and International Association of Machinists and Aerospace Workers
Roy R. Ray*	Dallas, TX	April 12, 1979	Braniff International Airways and Association of Flight Attendants

5. Referees Appointed—System Board of Adjustment, October 1, 1978 to September 30, 1979 (Airlines)—Continued

Name	Residence	Date of Appointment	Parties
Panel submitted on April 24, 1979 but parties have not selected an arbitrator as yet			Hughes Air West and Air Line Pilots Association
David E. Feller*	Berkeley, CA	April 24, 1979	Continental Airlines and International Association of Machinists and Aerospace Workers
Panel Submitted on May 17, 1979 but parties resolved dispute without arbitration			Piedmont Airlines, Inc. and International Association of Machinists and Aerospace Workers
Raymond L. Britton*	Houston, TX	May 18, 1979	Braniff International Airways and Association of Flight Attendants
Phillip G. Sheridan	Everett, WA	May 18, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
Peyton M. Williams*	Oklahoma City, OK	May 18, 1979	Braniff International Airways and International Brotherhood of Teamsters
Leo Kotin*	Sherman Oaks, CA	May 18, 1979	Trans International Airways and Air Line Pilots Association
Murray M. Rohman*	Fort Worth, TX	May 18, 1979	Braniff International Airways and Association of Flight Attendants
David E. Feller	Berkeley, CA	May 18, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
Edgar Allan Jones, Jr.	Los Angeles, CA	May 18, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
Gladys W. Gruenberg*	St. Louis, MO	May 18, 1979	Ozark Airlines and Association of Flight Attendants
Joseph S. Kane	Seattle, WA	May 18, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
Thomas T. Roberts	Rolling Hills, CA	May 18, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
Tedford E. Schoonover	Colorado Springs, CO	May 18, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
Anthony V. Sinicropi	Iowa City, IA	May 21, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
John P. Linn	Denver, CO	May 21, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
John P. Linn	Denver, CO	May 21, 1979	Alaska Airlines and International Association of Machinists and Aerospace Workers
Jerome G. Greene*	Miami, FL	June 5, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Jerome G. Greene*	Miamia, FL	June 5, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Russell A. Smith	Naples, FL	June 5, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
James C. Vadakin*	Coral Gables, FL	June 5, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Harold D. Jones, Jr.*	Atlanta, GA	June 5, 1979	Pan American World Airways and Independent Union of Flight Attendants
Robert G. Williams*	Charlotte, NC	June 5, 1979	Piedmont Airlines, Inc. and Association of Flight Attendants
Henry L. Sisk*	Denton, TX	June 5, 1979	Braniff International Airways and Association of Flight Attendants
Edgar Allan Jones, Jr.	Los Angeles, CA	June 6, 1979	Continental Airlines, Inc. and Union of Flight Attendants
Thomas T. Roberts*	Rolling Hills, CA	June 11, 1979	Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
Leo Killion*	San Rafael, CA	June 22, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Joseph S. Kane*	Seattle, WA	June 22, 1979	Trans International Airlines, Inc. and Air Line Pilots Association
Cornelius J. Peck*	Seattle, WA	June 22, 1979	Trans International Airlines, Inc. and Air Line Pilots Association
Anthony V. Sinicropi	Iowa City, IA	June 22, 1979	Trans International Airlines, Inc. and Air Line Pilots Association
Thomas G.S. Christensen*	New York, NY	June 22, 1979	Pan American World Airways and Transport Workers Union of America
Paul D. Hanlon*	Portland, OR	June 25, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Jacob Seidenberg*	Falls Church, VA	July 2, 1979	Capitol International Airways, Inc. and Air Line Pilots Association
Bert L. Luskin*	Chicago, IL	July 2, 1979	Executive Jet Aviation and International Brotherhood of Teamsters
Harold D. Jones*	Atlanta, GA	July 3, 1979	National Airlines, Inc. and International Association of Machinists and Aerospace Workers
Panel submitted on July 3, 1979 but arbitrator has not been selected yet			Japan Air Lines and International Association of Machinists and Aerospace Workers
Five panels submitted on July 17, 1979 but disputes were resolved without arbitration			Pan American World Airways, Inc. and Transport Workers Union of America
Charles K. Mone*	Boston, MA	August 1, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Howard G. Gamser	Washington, DC	August 1, 1979	Compania Mexicana de Aviacion, S. A. (Mexicana Airlines) and International Association of Machinists and Aerospace Workers
Howard G. Gamser	Washington, DC	August 1, 1979	Continental Airlines, Inc. and Union of Flight Attendants
Bernard Balicer*	Short Hills, NJ	August 1, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
William E. Simkin	Tucson, AZ	August 2, 1979	Continental Airlines and Union of Flight Attendants
Harold H. Leeper*	Dallas, TX	August 2, 1979	Braniff International Airways and International Brotherhood of Teamsters
James F. Searce*	McLean, VA	August 2, 1979	Allegheny Airlines, Inc. and International Association of Machinists and Aerospace Workers
Leo Weiss	Orange, CA	August 2, 1979	Continental Airlines, Inc. and Union of Flight Attendants
Howard G. Gamser	Washington, DC	August 2, 1979	Alitalia Airlines and International Association of Machinists and Aerospace Workers
William B. Gould	Stanford, CA	August 2, 1979	Continental Airlines, Inc. and Union of Flight Attendants
Emily Maloney	Santa Cruz, CA	August 8, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Anne H. Miller	Glenview, IL	August 8, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Tedford E. Schoonover	Colorado Springs, CO	August 8, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
James C. McBrearty	Tucson, AZ	August 9, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Howard G. Gamser	Washington, DC	August 9, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
James F. Searce	McLean, VA	August 9, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Thomas T. Roberts	Rolling Hills, CA	August 9, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
P.M. Williams	Oklahoma City, OK	August 9, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Armon Barsamian	San Rafael, CA	August 13, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Anne H. Woolf	Norman, OK	August 13, 1979	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Howard W. Kleebe*	Vienna, VA	August 15, 1979	Trans International Airlines, Inc. and Air Line Pilots Association
Panel submitted on August 15, 1979 but parties have not selected an arbitrator as yet			Trans International Airlines, Inc. and Air Line Pilots Association
Thomas T. Roberts*	Rolling Hills, CA	August 15, 1979	Trans International Airlines, Inc. and Association of Flight Attendants
Emily Maloney*	Santa Cruz, CA	August 15, 1979	Trans International Airlines, Inc. and Association of Flight Attendants
Francis J. Robertson	Chevy Chase, MD	August 15, 1979	Sabena Belgian World Airlines, Inc. and Transport Workers Union of America
James F. Searce	McLean, VA	August 20, 1979	Empresa Ecuatoriana de Aviacion and International Association of Machinists and Aerospace Workers
Edgar Allan Jones, Jr.*	Los Angeles, CA	August 21, 1979	Trans International Airlines, Inc. and Association of Flight Attendants
Howard G. Gamser	Washington, DC	August 21, 1979	Mexicana Airlines, Inc. and International Association of Machinists and Aerospace Workers
Harold Kramer*	Miami Beach, FL	August 22, 1979	Piedmont Airlines, Inc. and Association of Flight Attendants
Irvin Sobel*	Tallahassee, FL	August 22, 1979	Piedmont Airlines, Inc. and Association of Flight Attendants
David H. Stowe*	Bethesda, MD	August 22, 1979	Piedmont Airlines, Inc. and Association of Flight Attendants



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