

9-30-1980

# Forty-Sixth Annual Report of the National Mediation Board

National Mediation Board

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**National  
Mediation  
Board**

**Forty-Sixth  
Annual Report**  
Including the Report  
of the  
National Railroad  
Adjustment Board

For The Fiscal  
Year Ended  
September 30, 1980



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1980



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Annual report

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### **A Word About the Cover . . .**

The National Mediation Board unveils for the first time its colorful new seal, encompassing the symbolic elements of a train and plane set off in red, white and blue. The tail of the plane and the front of the locomotive are in white against a background of blue. Encircling the two elements are the National Mediation Board and the date of its inception, printed in red. The two stars symbolically represent the mediatory and representation functions the Board performs for the railroads and airlines. The design will also be used as a logo for official NMB publications, stationery and other purposes. The art work was done by the Government Printing Office, Typography and Design Division.

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Forty-Sixth  
Annual Report

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**National  
Mediation  
Board**

Including the Report  
of the  
National Railroad  
Adjustment Board

For The Fiscal  
Year Ended  
September 30, 1980

**DEPOSITORY**

NATIONAL MEDIATION BOARD  
Fiscal Year Ended September 30, 1980

George S. Ives, Chairman  
Robert O. Harris, Member  
Robert J. Brown, Member

Rowland K. Quinn, Jr.  
Executive Secretary

Meredith S. Buel  
Special Assistant to the Chairman

Ronald M. Etters  
General Counsel

Roy J. Carvatta  
Staff Director/Grievances

David M. Cohen  
Chief Hearing Officer

Sheldon M. Kline  
Research Director

Mary C. Pricci  
Administrative Officer

Donald L. West  
Manager Computer Systems

81-12-15



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-Sixth Annual Report of the National Mediation Board for fiscal year 1980, 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.

This was a particularly significant year as the number of mediation and representation cases occupying the Board's time made fiscal 1980 one of the busiest periods in the agency's history. Following is an in-depth review of our varied activities that once again illustrates the Act continues to be as effective today as when enacted over half a century ago.

Respectfully,

George S. Ives  
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, 1983
Robert J. Brown	Aug. 20, 1979	Term expires July 1, 1982





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## I. 1980—A Record Year

The National Mediation Board can reflect on fiscal 1980 as a record year.

During that time, the Board closed out over 50% more railroad and airline mediation cases than in the previous 12-month period. Importantly, it resolved the most airline representation and mediation cases in its lengthy history.

The Board, the only Federal agency to handle both mediation and representation cases, completed its 46th year of administering the Railway Labor Act. This oldest of labor relations statutes, with its unique set of procedures to maintain industrial peace, has been highly effective in settling most of the labor-management collective bargaining disputes in the railroads and airlines.

The increasing impact of both of these industries on the economy are constant reminders of how adversely the nation would be affected if the movement of freight and passengers over the tracks and through the air was silent because of massive strikes. The Board, ever mindful of its obligation to maintain labor stability in these important transportation segments, had one of its most productive years in fiscal 1980.

All told, 216 railroad and airline mediation cases were closed in fiscal year 1980, an increase of 54 percent over the previous year. In the railroads alone, 60 percent more mediation cases were closed in 1980 than in 1979.

The Board's success in closing 85 airline mediation cases in 1980 was the largest number of such cases completed since the airlines came under the Act in 1936 (the runner-up year was 1959, when 83 airline mediation cases were resolved).

The agency's record of closed mediation cases—and there were only three airline strikes this year—was especially notable due to the increasing number of complex airline contract issues associated with deregulation of that industry, full emergence into the jet age and the increasing number of employees in various crafts or classes being represented by national labor organizations.

Other action affecting the Board during the fiscal year followed passage of the Milwaukee Railroad Restructuring Act and the Rock Island Railroad Transition and Employee Assistance Act. Contained in both Acts were provisions providing for utilization of the Board's mediatory services during the negotiation by

labor and management of employee protective benefits. The Board discharged its obligation to provide mediation assistance pursuant to both statutes. As a result of its efforts an accord was reached to protect the interests of employees adversely affected by the Milwaukee Railroad legislation—the subject of a later article in this issue.

All in all, on the collective bargaining front, the Board completed a year of intense action and high utilization in successfully carrying out its mediation functions. A more complete report on this year's railroad and airline collective bargaining and the Board's prospects of having even a busier year in fiscal 1981 is contained in the following "highlights" chapter.

The Board also reached a 27-year high by closing out 144 railroad and airline employee representation disputes in fiscal 1980.

More significantly, the 95 airline representation cases involved add up to the largest number of such disputes ever resolved by the Board. Moreover, the number of airline representation cases resolved in 1980 was more than double the annual average of such cases closed in the previous 20 years.

Paradoxically, union organizing activity, while virtually dormant in certain sectors of the economy, increased markedly in the airline industry during this fiscal year. The growing number of mergers and acquisitions, formation of new carriers, and intrastate airlines expanding into interstate operations prompted by sweeping deregulatory changes are just a few of the reasons the industry is rapidly becoming labor's No. 1 choice for unionizing efforts. Representation disputes became an across-the-board action in 1980, involving trunk, regional, commuter, charter and foreign airlines.

There were some hotly contested elections during the year where one union tried to supplant an incumbent organization in representing a particular airline craft or class. However, the preponderance of airline representation cases dealt with a concerted attempt by unions to organize previously unrepresented groups of employees. The major drive by labor was to organize employees in many of the 280 commuter lines and in the 150 foreign air carriers with offices in the United States. Unions focused primarily on major crafts or classes,



such as the pilots, mechanics, office clerical, fleet service and passenger service employees.

It is therefore evident the Board and its staff spent considerable time during the year 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."

Incidentally, since the Board's inception in 1934, there have been 5,110 representation cases closed out by the Board encompassing more than 6,400 craft or class determinations. In that 46-year period, over 1,576,000 railroad and airline employees were involved in elections to choose their own bargaining representatives. Nearly 3,900 of those cases resulted in certification of employee representatives by the Board.

The first in a series of special reports of general interest to the railroad and airline industries appeared in last year's annual report. The second report, prepared by the NMB's Research Department and covering the history of organizing U.S.-based employees of foreign-flag carriers, is discussed later in this issue.

Also included is a special section on recent developments in the representation case area involving important policy decisions. Complex employee representation cases were brought before the Board in fiscal 1980 and the agency's hearing officers conducted a number of public hearings punctuated by numerous complicated issues and legal questions arising out of representation investigations.

Freedom of Information Act requests also created a costly and time consuming problem for staff members who again were burdened with a large number of requests to review various representation cases.

The three-member Board this year was chaired by George S. Ives who, along with his colleagues, Robert O. Harris and Robert J. Brown, was assisted by a small but experienced staff of specialists assigned to a myriad of labor relations matters affecting the agency. In the field 20 mediators, most of whom formerly had five or more years of labor relations experience in either the railroads or the airlines, covered collective bargaining and representation cases in cities across the nation.

The National Mediation Board has administrative responsibility over the National Railroad Adjustment Board, which handles grievance disputes under existing rail contracts. NRAB's fiscal 1980 activities are also summarized in this issue.

The Board looks confidently to the 1980's as a decade of challenge and opportunity. It will continue in the public interest to assist both industries in every conceivable way to maintain labor-management harmony through the peaceful procedures of the Railway Labor Act.

Possibly, we can base our confidence in the future on our good works of the past, as evidenced in the following comprehensive report of the previous 12 months' activities.

#### **To Better Understand . . .**

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 Annual Report. The four-page analysis of the Act begins on page 48.



## In the "Highlights" to Follow ...

A number of the varied items you will read about in the Highlights and additional chapters that follow are the basis for discussion during NMB staff meetings held each morning during the work week. The staff reports to the three Board Members the various projects, activities and happenings that affect the daily operation of the

agency. The exchange of views, the raising of issues and the Board's guidance to the staff covering a broad range of subjects have become increasingly important in carrying out successfully the many NMB duties essential to the railroads and airlines—all of which are in the public interest.



*Conducting a typical staff meeting, at head of table, is Board Chairman George S. Ives. He is flanked by Board Members Robert J. Brown and Robert O. Harris. Others (counter clockwise) from Mr. Brown include Rowland K. Quinn, Executive Secretary; Ronald M. Eppers, General Counsel; Mary C. Pricci, Administrative Officer; Sheldon M. Kline, Research Director; Meredith S. Buel, Special Assistant to the Chairman (back to camera); and David M. Cohen, Chief Hearing Officer.*





## II. Highlights

### **Railroad Collective Bargaining— What Happened; What's Ahead**

The National Mediation Board had one of its most productive years in fiscal 1980 as it helped ease rail unions and railroads over numerous contract hurdles to reach settlement and maintain labor peace throughout most of the industry. The general stability which has prevailed in the railroad industry in recent years has resulted from the efforts of labor and management to cooperate in meeting common problems, to conduct

collective bargaining on a coordinated basis and to work together to achieve their goals in their respective best interests.

All told, the Board resolved 131 railroad mediation cases during the year, the most close outs since 1976. Interestingly, nearly half of the Board's 20 staff mediators formerly worked in some capacity for the railroads.

The increased caseload was due primarily to the sizeable number of local disputes covering railroads not subject to national bargaining, but at the same time,



involving the major rail unions representing operating, non-operating and shop craft employees. The Boston and Maine, the Long Island Rail Road and the Port Authority Trans-Hudson, known as PATH, were among the railroads which reached settlements through mediation during the fiscal year.

In addition, certain critical issues were left unresolved in the last round of national bargaining and were negotiated on individual rail properties as local disputes. Crew consist, classification of work rules and scope of representation and the wage differential between engineers and conductors/brakemen were some of the issues resolved through Board mediation.

During the next 12 months national bargaining begins between the 13 major rail unions<sup>1</sup> and the nation's carriers, represented by management's bargaining arm, the National Railway Labor Conference, in Washington, D.C.

Unlike most other industrial relationships in the country, railroad collective bargaining agreements are not generally of a fixed duration. Instead, request 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. National rail bargaining is also unusual in the sense that carriers and unions agree to conduct negotiations on an industry-wide basis with a moratorium on major issues expiring simultaneously in each labor contract.

Mediation of national bargaining disputes is handled by the three Board Members, and in subsequent months, the agency's mediation workload undoubtedly will be greatly influenced by negotiations that affect over half a million rail employees.

<sup>1</sup>The 13 unions are:

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
IAM&AW	International Association of Machinists & Aerospace Workers
IBEW	International Brotherhood of Electrical Workers
IBFO	International Brotherhood of Firemen and Oilers
RYA	Railroad Yardmasters of America
SMWIA	Sheet Metal Workers' International Association
UTU	United Transportation Union

Board mediation plays a critical role in these negotiations as any strike resulting from a breakdown in bargaining could shut down the nation's 310,000-mile rail system inflicting severe damage on the economy. All 39-month contracts were mediated to settlement in the previous round of bargaining. This eliminated the threat of a national work stoppage in an industry whose 42 Class I railroads set a record by hauling 915 billion ton-miles of freight last year.

One final observation: A few days after the close of the current fiscal year, the President signed the Staggers Rail Act of 1980. The Board expects the initial impact of the Act to be felt in 1981. Such provisions of the Act, as those for providing for easier access to new rail markets, employee protection, expedited merger proceedings, the establishment of a feeder railroad development program, and the potential transfer of certain of Conrail's lines, should influence positively the Board's mediation caseload. A direct role for the Board under this statute was the mediation of an employee protection agreement covering employees of the Rock Island Railroad. The Board discharged its function as required by the Act.

#### **Board Mediates to Settlement Milwaukee Railroad Employment Protection Plan**

Early in the fiscal year (November 4, 1979) the Milwaukee Railroad Restructuring Act was enacted to infuse funds into the bankrupt carrier to insure continued operations and provide employee protection for laid-off workers.

Section 9 of the Act contained procedures for implementation of a unique labor protection plan. Specifically, the railroad and the various labor organizations representing affected employees were granted a period of 20 days following enactment to negotiate a protective agreement. If agreement was not reached within that period the National Mediation Board was to mediate the dispute in an attempt to bring the parties to settlement no later than 40 days after enactment. Thereafter, if mediation failed, the Act directed the parties to "enter into an employee protection agreement that is fair and equitable."

An employee protective agreement was not reached in the first 20 days. The Board then mediated the dispute between the carrier and various labor organizations. Agreement was reached after intensive mediation a few hours before expiration of the 40th day following enactment.



## **Airline Collective Bargaining— What Happened; What's Ahead**

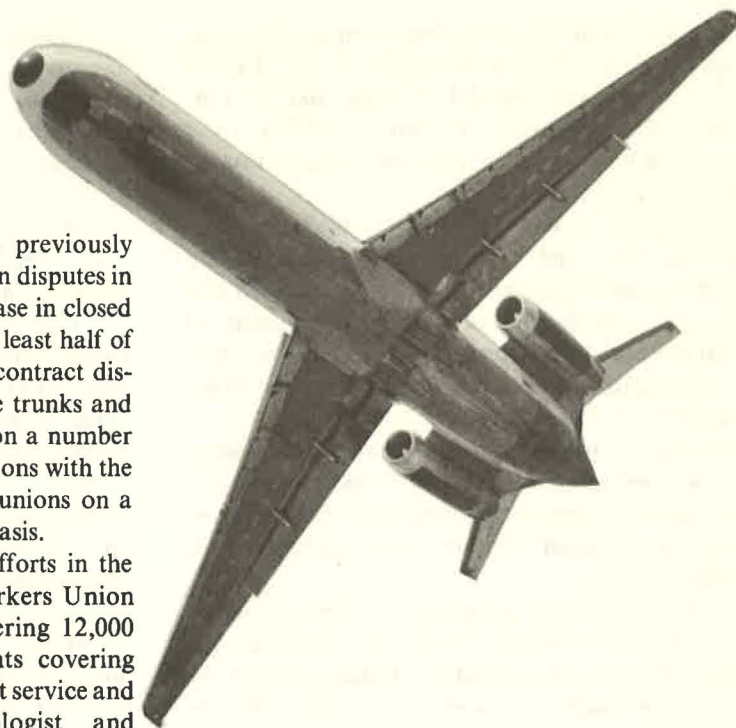
The National Mediation Board, as previously stated, resolved a record 85 airline mediation disputes in fiscal 1980, which represented a 47% increase in closed mediation cases over the previous year. At least half of those cases dealt with labor-management contract disputes in the larger airlines—specifically the trunks and regional carriers. Settlement was reached on a number of occasions after marathon mediation sessions with the airlines which negotiate individually with unions on a system-wide rather than an industry-wide basis.

Highlighting the Board's mediation efforts in the industry in 1980 was the Transport Workers Union settlement with American Airlines, covering 12,000 employees. The five separate agreements covering mechanics, plant maintenance, stores, fleet service and ground service, dispatchers, meteorologist and communication employees, represented the largest airline settlement during 1980.

The Board also in 1980 mediated new flight attendant agreements covering 6,000 employees with American, 6,025 employees with Eastern, 2,000 employees with Western and 960 employees with Hughes Air West. New agreements involving thousands of mechanics were also negotiated with the Board's assistance at Aloha, Hughes Air West, Northwest, Ozark and Republic Airlines.

In addition, mediation played a key role in settling airline contract disputes with groups of employees ranging from ticket and reservation agents, pilots and flight engineers to balloon watchers, flight simulator technicians, nurses and medical corpsmen—all in an industry that hires over 300,000 workers essential to keeping planes flying some 260 billion revenue passenger miles a year.

Next year could be even busier for the Board as contract bargaining will affect more than 100,000 employees. Pilot agreements are amendable at eight of the trunk carriers: American, Braniff, Continental, Delta, Eastern, Trans World Airlines, United and Western. New flight attendant agreements will be negotiated at American, Braniff, Northwest, Pan American and Trans World Airlines. Mechanics at virtually all of the trunk carriers will also begin negotiating new agreements; and clerical and other ground personnel will be amending contracts with Braniff and several other air carriers during fiscal year 1981.



## **Representation Hearings Maintain Strong Pace**

Although the Board's hearing officers conducted fewer days of hearings in fiscal year 1980, the number and complexity of issues presented continued unabated. Virtually all of the difference in hearing days between fiscal years 1979 and 1980 were accounted for in one case which ended 56 days of hearings in September 1979.

Deregulation of the airline industry and elimination of a backlog of cases in which hearings had been closed but no determination issued, accounted for the major allocation of hearing officers' time. In addition, hearing officers were assigned to provide staff support for three presidential emergency boards (one of which was appointed just before the close of fiscal year 1979), resulting in some 150 man-days allocated for that purpose.

Carriers and labor organizations maintained greater formality 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. However, many issues not resolved in prior years have now been settled as the result of hearings.

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.

Public demand, and the policy objectives of the Government in the Sunshine and the Freedom of Information Acts 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 determinations are structured on as firm a factual and legal foundation as possible.

## Freedom of Information Act Requests Keep Staff Busy

Freedom of Information Act applies to almost the entire range of federal activities and has resulted in a much more open government. The FOIA law facilitating public access to government documents is bringing steadily increasing requests for public records and a new openness in the way public business is conducted.

The National Mediation Board's Freedom of Information Act Office is designed to benefit the public by providing access to all "agency records" relating to railroad and airline disputes except to the extent the records or parts of them may be covered by one of FOIA's exemptions.

During fiscal year 1980, 160 requests were received by the Board, of which 32 requests were denied in part. No appeals were filed from the Executive Secretary's initial decisions in fiscal year 1980. The largest numerical increase in requests has come from law firms, attorneys representing the carriers or organizations asking to review the complete files in various representation cases. These types of requests are substantially more costly and more time-consuming to satisfy than those which identify the particular documents or information sought by the requestor.



*TWA-TWU HEARING—A witness testifies at a representation hearing involving Trans World Airlines and Transport Workers Union of America. Presiding is NMB Chief Hearing Officer David M. Cohen. At left are Eugene Downey and Asher Schwartz of TWU and, at right, are Ms. Mary McG. Voog and William Hatch of TWA.*



*INTRODUCTION TO COMPUTER SYSTEM—Donald L. West, Manager Computer Systems, instructs Administrative Officer Mary Catherine Pricci in the use of a terminal which interacts directly with the computer for data input and data retrieval.*

The amount of fees collected for making records available was approximately \$1,205.65. These costs are, in effect, only token reimbursement for the true costs incurred in providing information. During fiscal year 1980, for example, the Board estimated that \$30,650.00 in nonrecoverable costs were incurred to process and provide requested information.

### **Freedom of Information Regulations**

Part 1208 of Title 29 of the Code of Federal Regulations has been amended to conform to the requirements of the Freedom of Information Act as amended by Public Law 93-502, 88 Stat. 1561.

The general rule under FOIA is that "any person" is entitled to have access to any "agency record" upon request unless it is exempt under one of the nine exemptions.

Requests for records must be in writing to the Executive Secretary, National Mediation Board, Washington, D.C., 20572, reasonably describing the information sought in a manner which permits identification and location of the records. Every reasonable effort will be made by the Board to assist in the identification and location of the records sought.

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, Illinois, 60604.

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

When a request is denied in whole or in part by the Executive Secretary, the requestor may within 30 days of its receipt, appeal the denial to the Chairman of the Board. The Chairman of the Board will act upon the appeal within 20 working days of its receipt.

The National Mediation Board will maintain, make available for public inspection and copying a current index of the materials available at the Board offices which are required to be indexed by 5 U.S.C. 552(a)(2).

### **NMB Computer System Installed**

Heretofore the National Mediation Board has relied entirely upon manual procedures for filing, processing and retrieving information generated within the agency. Such procedures severely restricted the number of indexes feasible and had the effect of making the agency dependent upon the personal recall of individual



researchers. To resolve this problem, the NMB turned to automated-data-processing. An Office of Computer Systems was established and an HP-3000 computer system installed.

The HP-3000 is an interactive system which allows NMB staff members direct access to information on the computer through the use of display terminals operated with simple commands. Terminals are placed in key offices and general-access areas at the NMB in Washington, D.C. A communication link is also being established to allow the National Railroad Adjustment Board in Chicago access to the D.C. facilities.

The first computer application for the Board is to create a Case-Tracking-System (CTS) which will enable Board staff members to docket, track and retrieve representation case (R-case) information. The R-case data base, currently under development, will include key items of information from every case in the Board's history. R-case data base can be cross-referenced at least 50 different ways. The effect will be to unlock previously unattainable NMB information and make it accessible even to staff newcomers.

The Case-Tracking-System will be expanded to include mediatory, legal and other types of cases. The CTS is only the beginning; the Board has many other important projects on the agenda for future develop-

ment as the automated data processing system moves into high gear.

### **NMB Staff Conference Convenes to Discuss Policy Matters**

The National Mediation Board each year brings its 20 mediators in from their stations around the country to discuss policy matters and problems affecting the agency as well as to exchange ideas on a number of labor relations issues.

Such a meeting was called by then NMB Chairman Robert O. Harris with the Board Members, the NMB staff and the mediators participating in a three-day work session in historic Williamsburg, Virginia, December 9-12, 1979.

Subjects covered during the staff conference ranged from revision of the manual on procedures for handling representation disputes and an overview of significant Board decisions in the representation area to discussion of utilization and productivity as they related to the mediators.

The mediators' input into the updated representation manual was of particular importance. The finished product represented the culmination of a six-year project that has proven invaluable in helping the NMB handle employee representation matters with maximum



*STAFF CONFERENCE IN SESSION—Then Chief Hearing Officer Ronald M. Etters discusses draft of new Representation Manual with NMB mediators and Board Member Robert J. Brown, at right.*



LABOR NEGOTIATIONS AIRED—Board Member George S. Ives and Mediator Harry D. Bickford during a coffee break with then NMB Chairman Robert O. Harris and Thomas B. Ingles (back to camera).



Research Director Sheldon M. Kljine addresses Conference.

efficiency as they affect labor and management in the railroads and airlines.

Guest speakers included William M. Hawkins, Vice President, Finance and Taxation, Air Transportation Association, who gave an overview of airline operations in the 1980's and Arthur Brennan, Director of Representation, Air Line Pilots Association, AFL-CIO, who spoke on the current and future impact of deregulation on airline labor relations.

### 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, there were no new or amended rules issued in fiscal year 1980.

### Other Types of Interest Arbitration Cases

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 62 arbitration cases that have emanated from these national agreements:

#### Arbitration Board

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

**Arbitration Board No.**

Arbitration Board No.	Carrier	Organization	Issue
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
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 & Santa Fe Ry. Co.	Brotherhood of Locomotive Engineers	Switching limits
361	Atchison Topeka & Santa 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
384	Richmond, Fredericksburg & Potomac RR Co.	United Transportation Union	Switching limits
388	Atchison, Topeka & Santa Fe Railway Co.	Brotherhood of Locomotive Engineers	Interdivisional service
390	Consolidated Rail Corporation	United Transportation Union	Switching limits
391	Consolidated Rail Corporation	United Transportation Union	Switching limits
393	Consolidated Rail Corporation	United Transportation Union	Interdivisional service
394	Consolidated Rail Corporation	United Transportation Union	Switching limits
395	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 intraseniority 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. Alabama Great Southern RR Co. Cincinnati, New Orleans & Texas Pacific Ry. Co. Georgia Southern & Florida Ry. Co. Central of Georgia RR Co.	United Transportation Union	Interdivisional service
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
20	Missouri-Kansas-Texas RR Co.	United Transportation Union	Interdivisional service

## 7th Volume Contains 266 NMB Determinations

The National Mediation Board this year published its seventh volume in a series titled, "Determinations of the National Mediation Board." Volume 7 covers determinations of crafts of class, as well as other significant determinations of the Board relating to Section 2, Ninth of the Railway Labor Act. Each determination carries a 7 NMB number. Volume 7 covers the period from July 1, 1979 through September 30, 1980.

## 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, Employees 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 1980 are listed in appendix B, table 7.

### **Railroad Revitalization and Regulatory Reform Act of 1976**

This Act provided for the implementation of the Final System Plan relating to the revitalization of rail service in the Northeast Corridor and the establishment

of the Operations Review Panel. Certain responsibilities were also assigned 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 certain exceptions, the Panel was provided with complete authority to take such actions as are necessary to resolve differences of opinion concerning all operational matters within the eight Northeast corridor States and the District of Columbia which arise among the *National Railroad Passenger Corp.*, other corridor railroads, and the State, local and regional agencies responsible for furnishing the corridor's commuter rail, rapid rail or rail freight services. Decisions of the Panel are final and binding on the parties and are not subject to review by any court.

As provided by the Act, the Panel consists of five members, three of whom are appointed by the constituent rail carriers and commuter rail authorities and two who are selected by the Chairman of the National Mediation Board.

Francis A. O'Neill and Maynard E. Parks were appointed by the Board's chairman as neutral members of the panel. The rules of procedure subsequently adopted by the Panel provided that the body shall be chaired by one of the neutral members who shall retain full voting privileges while serving as Chairman. Mr. O'Neill served as the Panel's chairman for fiscal year 1980.





### III. Representation Case Developments

A number of important representation cases were resolved by the Board in fiscal year 1980. Some of the cases, involving significant policy decisions covering jurisdiction, craft or class and representation procedures, are summarized below:

#### Jurisdiction

The Board in 1980 undertook a comprehensive review of its jurisdictional standards, due to an unusually large number of cases raising basic issues of jurisdiction. These cases arose either by the filing of an Application of Investigation of a Representation Dispute by a labor organization or by a referral from the National Labor Relations Board.

In *Southern Air Transport*, the Board discussed the definition of "common carrier by air" for purposes of Title II of the Railway Labor Act. A carrier is engaged in common carriage if it is under obligation to serve the public or if the public has the right to demand service. A carrier which "holds itself out" as available to serve is engaged in common carriage. The holding out requirement is fulfilled where the carrier solicits or advertises for customers.

In two decisions involving *Delpro, Inc.*, the Board held that a company directly or indirectly owned or controlled by a group of rail carriers engaged in maintenance and repair of railroad freight cars was a carrier within the meaning of Section I, First, of the Act, even though the company was not a carrier under the Interstate Commerce Act. In these cases, it was determined that Delpro, Inc., had interlocking directors and officers with its owner-railroads, and that the owner-railroads had a major financial role in Delpro's operations. Delpro's only customer was its parent corporation, owned by 31 railroads; all of its work involved maintenance and repair of rolling stock.

The Board considered a series of cases involving companies performing services in connection with rail and air transportation for carriers. In general, the Board found RLA jurisdiction where the carrier exercised significant control over the contractors' employees and the manner of performing the work to be done.

Thus, in *Boeing Aircraft Equipment, Inc.*, the Board found that United Air Lines supervised Boeing employees handling United passengers' baggage; that United had the right to review wages paid by Boeing; that United could order Boeing employees terminated; and that United approved the tools and capital equipment used by Boeing.

In *Missouri-Illinois Central Industries, Ltd.*, the Board found that MICI was a carrier because supervisors of the railroads actually directed its employees' work and could order employees discharged, even though MICI retained the right to hire or discipline employees, to set wages, and to settle grievances. MICI braced and secured rail freight in transit, and some 80-90% of its work was for Burlington Northern and the Baltimore and Ohio Railroads.

However, in *Track Maintenance, Inc.*, the Board declined to assert jurisdiction over a company performing maintenance of way for several railroads where there was neither ownership by the railroads or control over the work performed.

In *Mercury Services, Inc.*, the Board determined that companies providing fleet and passenger service work to airlines, including cargo handling, loading and cleaning of aircraft, security, and ticketing, were subject to the Act where the carriers' supervisors directed the employees' work. Some Mercury employees wore carrier uniforms and worked alongside carrier employees, with no supervision or direction from Mercury.

Similar circumstances were present in *Ground Services, Inc. (San Diego)*, and *Ground Services, Inc.*, (involving employees in Ft. Lauderdale). However, because of Ground Services' unique operations in 19 cities, the Board determined that each city should be deemed a separate "system" for purposes of representation. In addition, because Ground Services' work was so closely intertwined with that of the air carriers it serviced, Ground Services and the carriers should be considered joint employees for labor relations purposes. This marks the first time that the NMB has utilized the joint employer concept in either industry.

In *Air Cleveland, Inc.*, the Board determined that a subsidiary of an airline (itself subject to the RLA) would be deemed a carrier by air. Air Cleveland performed



fueling and maintenance of aircraft. Its parent corporation controlled hiring and fringe benefits; reduced air travel passes were provided to Air Cleveland employees; and all employees worked interchangeably between the two corporations.

The Board declined to assert jurisdiction in *Beckett Aviation Corp.-Cleveland*, where the corporation was engaged in hanging and maintenance of corporate aircraft. Beckett engaged in no common carriage and owned two small training aircraft. Although Beckett was owned by the Chessie System, it did no work for Chessie nor was it engaged in rail transportation.

The Board has historically exercised jurisdiction over the Long Island Rail Road and the Staten Island Rapid Transit Operating Authority. However, in its *Metropolitan Transportation Authority* determination the Board declined to assert jurisdiction over the parent body of those two railroads. The MTA is an agency of the State of New York created to develop comprehensive transportation in the New York City Metropolitan area. MTA's subway, bus, bridge, and tunnel operations dwarf its railroad operations.

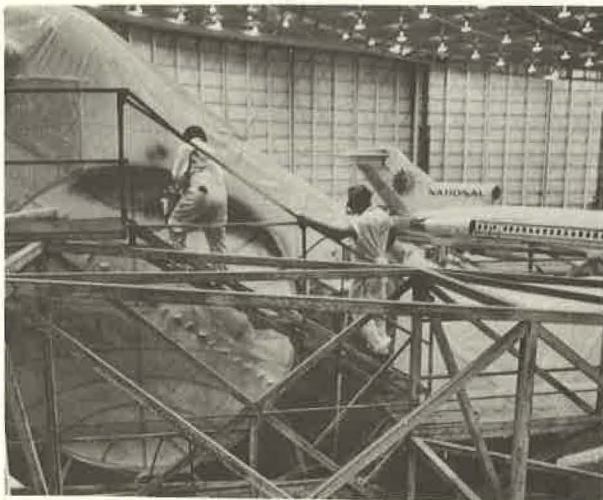
A court decision by the U.S. Court of Appeals for the Second Circuit involving the L.I.R.R. and MTA raises a question concerning the Board's jurisdiction over L.I.R.R. and SIRTOA, and resulted in the issuance of an Order to Show Cause why the NMB should not cease to exercise its jurisdiction.

## Mergers and Acquisitions

Two important carrier combinations during the year resulted in representation determinations. *Pan American* absorbed *National Airlines*, and *Republic* acquired *Hughes Airwest*. Both situations involved use of the Board's policy announced in connection with the North Central—Southern merger which created *Republic*.

The Air Line Employees Association requested issuance of an order requiring Pan Am to maintain the status quo pending resolution of ALEA's application for an election. The Board determined that such an order is not available to require restoration of pre-merger conditions where the surviving carrier has voluntarily recognized some other labor organization. The Board further stated that the federal court, not the Board was the proper forum for seeking an order to compel bargaining.

The Republic-Airwest combination required an extensive investigation of the operations of the new carrier, because Airwest was to be retained as a separate corporation with its employees and aircraft substantially intact. The Board determined that rational labor-management relations required that the combined carriers be treated as a single system. The record of the hearings indicated Republic's intention to hold itself out to the public as one airline, and that only tax and subsidy considerations impelled it to keep Airwest alive as a corporation. In the absence of compelling facts, judged



**MERGERS AND ACQUISITIONS**—Significant policy decisions were issued by the Board involving employee representation disputes relating to airline mergers and acquisitions. Two such combinations included the merger of National Airlines into Pan American World Airways and the acquisition of Hughes Airwest by Republic Airlines. Employees are shown in the process of changing names on planes of the newly acquired carriers.



**PRELUDE TO MAILING BALLOTS**—A key number is given to each eligible voter in a craft or class representation dispute before ballots and informational material are mailed to employees preceding a secret ballot election. Board Representatives working as a team on the project are, left to right, Samuel J. Cognata, Charles A. Peacock, Roland Watkins (rear) and John B. Willits.



**ELECTION UNDERWAY**—Board Representative Robert B. Martin tallies ballots assisted by Gale Oppenberg and Roland Watkins. Envelopes containing ballots are opened only after key numbers on envelopes are checked against a master employee eligibility list. A majority of eligible employees in a craft or class must cast valid ballots to determine a collective bargaining representative.

on a case-by-case basis, the Board intends to treat combined carriers as single systems.

During the course of the hearings, the Aircraft Mechanics Fraternal Association requested that Republic be required to maintain the status quo on Airwest pending a determination by the Board of the issue of carrier identity. Such an order was denied by the hearing officer, and AMFA appealed to the Board. No application for an election had been filed at this point in the proceedings.

The Board denied AMFA's appeal. No question concerning representation exists in the absence of a properly filed application for investigation of a representation dispute. If a carrier acts in derogation of an organization's certification, the remedy must be found in the federal courts in an action for damages or injunctive relief. The Board reiterated the holding in *Switchmen's Union* that it does not enforce the RLA.

## Elections

A number of cases required clarification of the Board's election procedures in representation cases.

The major investigation involved *Altair Airlines*, where the Board conducted hearings regarding the incumbent organization's charges that the applicant



organization was carrier dominated and supported. In particular, it was alleged that the carrier had contacts with the applicant's president during the negotiations and strike on the part of the incumbent, and made certain promises regarding a settlement; that the applicant used the carrier's post office box and performed union business on work time; and that the carrier provided the applicant with a list of employee addresses, but refused to give such a list to the incumbent. The Board concluded that the evidence did not support the charges, and dismissed the incumbent's petition.

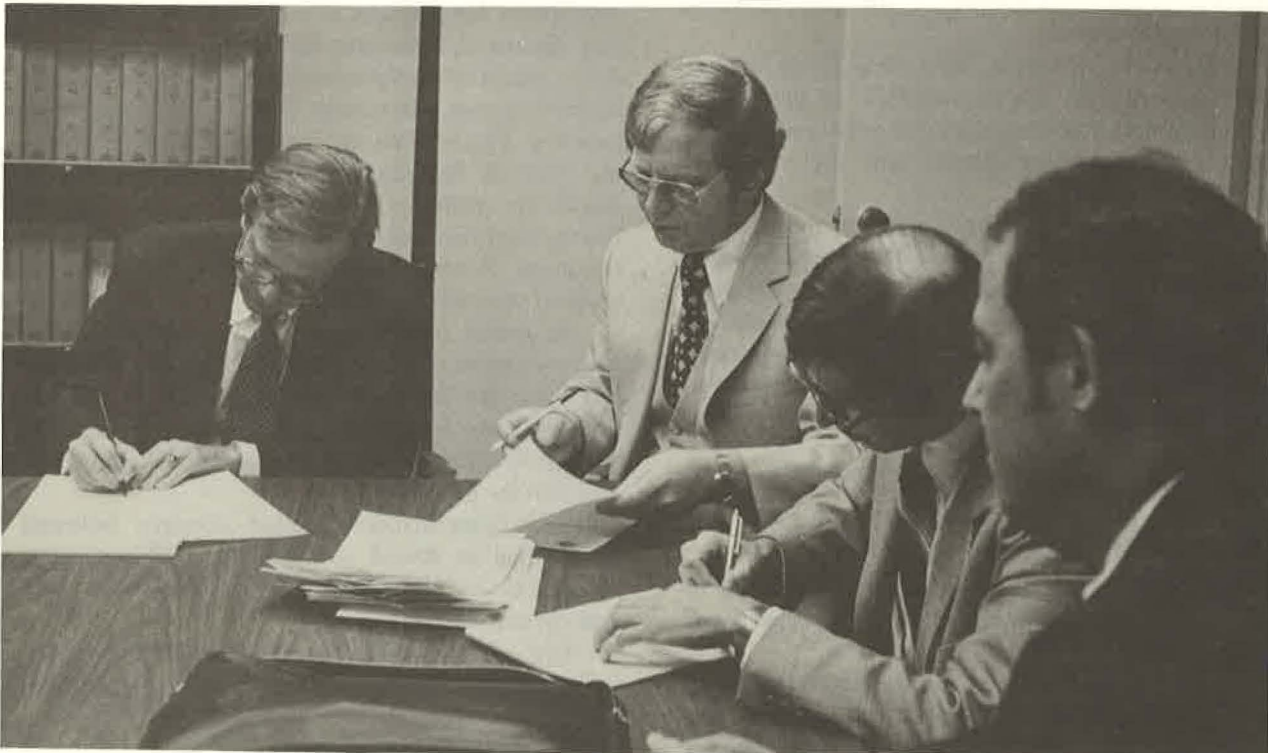
Because ballots in the Altair election had been impounded pending the Board's resolution of the allegations about carrier interference, a question arose concerning the counting of ballots from employees who were eligible voters on the original count date, but who left the company prior to the actual count date. Ordinarily, an employee who leaves his employment prior to the count is removed from the eligibility list. However, in connection with this case, the Board stated that, when ballots in an election are impounded, and the impounding results in a delay of the count, the status quo as it existed on the original count date must be preserved to prevent a possible change in the election results. Thus,

the list of eligibles is frozen as of the original count date regardless of when the actual count occurs.

An election on *U.S. Air*, also involved allegations of improper conduct on the part of one of the competing unions and the carrier. The Board dismissed the protest on the grounds that there was no showing of carrier interference with the election, and no showing that the union had committed any acts during the election period which violated the Act.

In an election on *Airlift International*, the Board dismissed a protest to certain names on the eligibility list. The protest was received after the check of returned ballots began. Section 12.303 of the Representation Manual requires that all protests to eligibility be filed prior to the check.

In two cases, involving *Western Airlines* and *Republic Airlines*, the Board announced that it would not count ballots collected by organizations which were either mailed in bulk or delivered by hand to the Board's offices. The Board determined that collection of ballots by an organization was inconsistent with the Act's policy of encouraging free elections. The instructions used in mail ballot elections require the individual employee to mail his own ballot to the Board's post office box.



**PARTIES ASSIST IN VOTE TALLY**—Board Representative Samuel J. Cognata (second from left) counts votes during an election involving Air Illinois Pilots. Also recording the count are Michael H. Campbell representing Air Illinois (left) and John Manchester, International Representative of the International Brotherhood of Teamsters. Claude T. Sullivan, another carrier representative, is at far right.



## Exclusions from Craft or Class

The Board reaffirmed its determination in the *Braniff* case reported last year, that the parties to a collective bargaining agreement cannot exclude any members of a certified craft or class from the protections and rights inherent in collective representation. In *Iberia Airlines of Spain*, the Board further stated that parties run the risk of violating the duty of fair representation when they exclude employees from the scope of a labor agreement.

## Decertification

The Railway Labor Act, unlike the National Labor Relations Act, has no statutory procedure for decertification of a bargaining representative.

In *Manufacturers Railway Company*, the Board certified an individual as the representative in place of the incumbent union following an election. Six days after being certified, the individual notified the Board that he would no longer represent the craft or class. Following issuance of an Order to Show Cause why the election should not be set aside and the incumbent restored, the individual notified the Board that he would serve as representative.

And in *The Atchison, Topeka and Santa Fe Railway Company*, the Board dismissed an application accompanied by authorization cards to be used solely to decertify the incumbent organization, rather than to seek representation.

In a case involving signalmen of the *Chicago Union Station Company*, the Board dismissed an application filed by an individual when, after two elections, the individual had not received a single vote, including his own. The Board ruled that lack of intent to represent employees constitutes a basis for dismissal of a representation application.

## Subordinate Officials

The Board again was confronted with a series of cases discussing inclusion and exclusion of supervisory personnel under the RLA.

In *Pan American World Airways*, the Board again found that Production Supervisors constituted a craft or class for purposes of representation, based upon a detailed examination of their actual duties. The Board found that Inspection Supervisors and Line Maintenance Supervisors were not "employees or subordinate officials" within the meaning of the RLA. Factors used

to determine supervisor status include authority to hire, discipline and discharge employees; authority to resolve grievances; use of leads; method of compensation and fringe benefits; authority to order overtime; authority to commit carrier resources; role in budget and policy matters; and dealings with outside parties.

In *Swift Aire Lines*, the Board held that check flight attendants who effectively recommended hiring and termination were not employees or subordinate officials. And in *Antilles Air Boats*, the Board held that Traffic and Ramp Supervisors were not covered by the Act, based upon the test discussed in the Pan Am case.

Finally, in *Varig Brazilian Airlines*, the Board determined that Traffic and Reservations Supervisors on a small carrier did not constitute a craft or class where their community of interest might lie with the broader category of all first-line supervisors.

## Miscellaneous Crafts or Classes

In *Japan Air Lines Company, Ltd.*, the Board established a presumption that the separate Office Clerical Employees, Fleet Service Employees, and Passenger Service Employees crafts or classes were each appropriate for purposes of representation. The Japan case discussed Passenger Service Employees, whose duties consist of providing service to customers, including information, reservations, ticketing, sales, and cargo handling. This holding was reaffirmed in a case involving Fleet & Passenger Service Employees, *Pacific Southwest Airlines*. In *South African Airways*, the Board stated that a composite Office Clerical, Fleet and Passenger Service Employees craft or class is not required on small, foreign carriers.

In *British Airways*, the Board held that separate crafts or classes of Office Clerical Employees and Fleet and Passenger Service Employees, existed on British. Office Clerical Employees' primary duties involve the internal functions of the carrier, as distinct from dealings with the public.

Two cases involving *Laker Airways*, followed the holding in *British Airways*, that Office Clerical Employees and Passenger Service Employees were separate crafts or classes.

One case involving this grouping (*Western Airlines*) did not involve an effort to separate the component groups. However, a central issue in this case was whether data processing personnel were employees covered by the RLA, and if so, what craft or class they belonged in. The Board found that the data processing and computer personnel were employees properly included with other office clerical employees.

In *Antilles Air Boats*, the Board reaffirmed the separate community of interests of Stock and Stores employees apart from the Fleet and Passenger Service Employees.

In *Trans World Airlines*, the Board investigated the role of Operational Controllers in the airline industry. Controllers are responsible for determining which particular aircraft will be used for each flight, and control scheduling of crews away from domicile. Controllers also adjust aircraft and crews to insure maximum recovery during periods of irregular operations, at minimal expense to the carrier.

The applicant organization had contended that controllers were either part of the Dispatcher craft or class or constituted a separate craft or class. However, reviewing its consistent holdings in similar cases, the Board concluded that the controllers were office clerical employees concerned with the internal operations of the

company. The Dispatcher craft or class is reserved for Federally-licensed dispatchers.

The Board's decision in *Laker Airways* discussed operations controllers on that carrier and reaffirmed their status as Office Clerical Employees.

### **Confidentiality of Board Representatives**

The Board denied a request by Altair Airlines to have three mediators present to testify at a Board hearing about their actions in representation and mediation cases. The Carrier sought their testimony to show that it had dealt in good faith with the incumbent union and had not supported a rival organization. Citing its own rules and series of court decisions upholding confidentiality and the need for the appearance of impartiality on the part of Federal mediators, the Board reaffirmed its policy of protecting the labor relations process from undue exposure.





## IV. Significant Court Determinations

Significant decisions affecting the National Mediation Board, the National Railroad Adjustment Board and other issues arising under the Railway Labor Act, were handed down by the Federal Courts during the fiscal year. A summary of these determinations follows.

### National Mediation Board Discretion to Continue Mediation

The case of *Seaboard World Airways, Inc. v. Local 851, International Brotherhood of Teamsters*,<sup>1</sup> reaffirmed an important principle regarding the National Mediation Board's discretionary authority to withhold a proffer of arbitration terminating mediation. The case was initiated by Seaboard's efforts to obtain injunctive relief preventing the union from utilizing self-help during the pendency of mediation before the NMB. The union brought the NMB into the suit and sought to have the NMB directed to release the parties from mediation.

In an unequivocal determination, the Court dismissed the action against the NMB and expressly placed reliance on the landmark decision by the United States Court of Appeals for the District of Columbia Circuit in *International Association of Machinists & Aerospace Workers v. National Mediation Board*.<sup>2</sup> The Court adopted substantial language from the *Machinists* decision including the principle that "the Mediation Board is entitled to as strong a presumption as the legislature that if any state of facts might be supposed that would support its actions those facts must be presumed to exist. . . . However skeptical of success the court may be, it cannot obliterate even the slim chance of success that may ensue from exhaustion of the process entrusted by Congress to the Mediation Board." The Court further noted that no party has been able to meet the substantial burden imposed by the *Machinists* decision and win a judicially ordered end to mediation.

<sup>1</sup>501 F. Supp. 81 (E.D.N.Y. 1980).

<sup>2</sup>425 F. 2d 527 (D.C. Cir. 1970).

### Judicial Review of National Mediation Board Representation Determinations

In *Air Canada v. National Mediation Board and International Brotherhood of Teamsters*, the principle of strong judicial deference to NMB representation determinations was again reconfirmed by the Court. Air Canada initially attempted to enjoin the Board's conduct of a representation election among its fleet and passenger service employees. That request was denied by the Court in August of 1979.<sup>3</sup> The United States Court of Appeals for the second Circuit denied the Carrier's request for an injunction of the NMB's election processes pending an appeal. Ultimately, the District Court went on to dismiss the Carrier's supplemental complaint.<sup>4</sup>

The District Court held that since the Board's rules regarding representation were not required by the Railway Labor Act, NMB actions may not be overturned for failure to comply with such internal procedures. The Court noted for the record that there were no grounds to conclude that the Board had violated its implementing regulations in any event. In response to the multifaceted complaint filed by Air Canada, the Court disposed of Carrier allegations regarding the inadequacy of the showing of interest, the use of outdated authorization cards, the inadequate and improper determination of craft or class, the requirement for hearings, the ineligibility of Carrier personnel, as well as miscellaneous additional issues. In all cases, the Court found no jurisdiction to set aside the NMB's determinations or to void the certification issued by the NMB.

### Arbitral Immunity Applicable to Boards of Adjustment and Their Members

The significant issue of whether "absolute immunity" from civil liability was applicable to arbitrators functioning under Section 3 of the RLA<sup>5</sup> was resolved

<sup>3</sup>478 F. Supp. 615 (S.D.N.Y. 1979).

<sup>4</sup>Civ. No. 79-CIV.-4401(CES) (S.D.N.Y. 1980).

<sup>5</sup>45 U.S.C. §153.

in the affirmative by the Court in *J. A. Bullock v. D. Dolnick*.<sup>6</sup> The United States Supreme Court previously had held that such immunity as available to federal adjudicators in connection with their performance of judicial or quasi-judicial functions.

The plaintiff in the *Bullock* case had sought substantial money damages from the arbitrator (referee) serving with the National Railroad Adjustment Board. Alleging that the NRAB referee had violated his civil rights, the plaintiff requested civil damages in excess of \$400,000. The Department of Justice filed a Motion to Dismiss on behalf of the referee seeking dismissal of the claims against him on a variety of grounds, including absolute immunity. The Court, however, held that it was necessary only to consider the applicability of absolute immunity under the Supreme Court's decision of *Butz v. Economou*.<sup>7</sup> Applying the *Butz* authority, the

Court held that the referee was absolutely immune from any alleged liability because the lawsuit had arisen out of his decision on the plaintiff's NRAB claim.

Subsequent to the amendments of the Railway Labor Act in 1966, all Federal Courts which have addressed the question of arbitral immunity in actions for review pursuant to Section 3, First (q)<sup>8</sup> have determined that the various Boards of Adjustment should not be named as defendants. In an action before the United States Court of Appeals for the Second Circuit, *H. G. Skidmore v. Consolidated Rail Corporation*,<sup>9</sup> the petitioner joined the National Railroad Adjustment Board as a defendant. The Court of Appeals initially denied the NRAB's motion to dismiss. However, on the basis of a supplemental brief filed by the Department of Justice, the NRAB was dismissed as an improper defendant.

<sup>6</sup>Civ. No. 80-C-4694 (N.D. Ill. 1980).

<sup>7</sup>438 U.S. 478 (1978).

<sup>8</sup>45 U.S.C. §153, First (q).

<sup>9</sup>619 F.2d 157 (2 Cir. 1979), cert. denied, 101 Sup.Ct. 148 (1980).



**COURT DISCUSSION**—General Counsel Ronald M. Etters discusses recent interpretation of the Railway Labor Act by the Federal Courts with (left) William L. Scheri, Airline Coordinator, International Association of Machinists and Aerospace Workers, and Timothy Connolly, Grand Lodge Representative, IAM&AW.

The Court expressly recognized the importance of arbitral immunity under the Act, holding that the NRAB should be dismissed from the case. The Court based the dismissal on the grounds that the NRAB functions as an adjudicatory tribunal and because the recruitment of qualified arbitrators to serve on NRAB panels would be seriously hindered if the arbitrators were subject to lawsuits by dissatisfied carriers or employees. The United States Supreme Court subsequently denied the petition for writ of certiorari in the case.

### Other Significant Rulings

In the case of *M. Leitch v. National Mediation Board, et al.*,<sup>10</sup> a non-contract employee of United Airlines sought to compel the National Mediation Board to establish the National Air Transport Adjustment Board. The NMB has discretion to establish the NATAB under Section 205 of the Railway Labor Act.<sup>11</sup> The United States Court of Appeals for the Ninth Circuit, in affirming the District Court's judgment, declined to require the NMB to establish the NATAB. The Court further held that the Act's distinction between union and non-union employees was not violative of employee rights under the Fifth Amendment.

The case of *Iberia Airlines of Spain v. National Mediation Board and International Association of Machinists & Aerospace Workers*<sup>12</sup> addressed the issue of whether mediation had been invoked in sufficient time to trigger the status quo requirements of Section 6 of the Act.<sup>13</sup> The District Court's decision found that Iberia and the IAM&AW had deadlocked in their negotiations and that the NMB's mediation assistance had not been requested until more than ten days following the parties' last conference. Applying a strict construction to the RLA's statutory terms, the Court rejected the Government's position that the Act requires continued

maintenance of the status quo, if mediation had been invoked prior to a change in the status quo, even if it was invoked after the expiration of the 10-day period. The Court of Appeals affirmed the District Court's judgment without elaboration.

The National Mediation Board was not a party in the case of *Air Transport Employees v. Western Airlines, Inc.*<sup>14</sup> which concerned the issue of the continuation of union security and dues check-off provisions under the collective bargaining agreement which was in effect at the time the ATE was certified by the NMB. Following the ATE's certification, Western had refused to continue to deduct union dues from the employee payrolls pursuant to authorizations which had been made by the employees when they were represented by another union. The Court held that the ATE had succeeded the previous union in the administration of the agreement negotiated with Western. In addition, the Court found that the union security and dues check-off provisions of the agreement were "working conditions" subject to the mandatory status quo provisions of the Act. Accordingly, Western was ordered to honor the agreement's union security provisions, as well as to pay ATE the dues deductions which previously had been authorized by the employees of the certified craft or class.

Although the National Mediation Board or the United States Government were not parties in the matter of *Summit Airlines, Inc. v. Teamsters Local Union No. 851*,<sup>15</sup> the issues are significant for purposes of representation proceedings under the Act. The Carrier sought to restrain the organization from utilizing recognition picketing in lieu of the Act's representation procedures under Section 2, Ninth.<sup>16</sup> The Court granted the injunction, holding that it would render the procedures of the RLA meaningless to permit direct resort to "economic" activity where the statutory processes for determining representation issues before the National Mediation Board were available.

<sup>10</sup>628 F.2d 1356 (9 Cir. 1980).

<sup>11</sup>45 U.S.C. §185.

<sup>12</sup>472 F. Supp. 104 (S.D.N.Y. 1979), *affd.*, Appeal No. 79-7543 (2 Cir. 1980).

<sup>13</sup>45 U.S.C. §156.

<sup>14</sup>105 LRRM 3004 (C.D. Cal. 1980).

<sup>15</sup>628 F.2d 787 (2 Cir. 1980).

<sup>16</sup>45 U.S.C. §152, Ninth.



## V. A Look at Our Case Record

The report that follows is a statistical overview of mediation, representation and interpretation cases as set forth in Tables 1 through 5 at the end of this chapter.

### Definitions

The three dispute categories covered in this chapter are:

*Mediation*—Contract disputes entered into by NMB between carriers and employees affecting rates of pay, rules or working conditions not settled through direct negotiations. These cases are commonly referred to as “A” cases.

*Representation*—Disputes among crafts or classes of employees as to who will represent them for purposes of collective bargaining with employers. These cases are commonly referred to as “R” cases.

*Interpretation*—Controversies arising over the meaning of the application of an agreement reached through mediation. These cases are commonly referred to as interpretation cases.

### Overall Assessment of Closed Out Cases

The National Mediation Board’s aggregate number of closed cases (1935-80) was 15,740. The case distribution included 10,487 mediation, 5,110 representation and 143 interpretation cases stamped “closed.”

As reported in Table 1, there were 361 cases of all types closed in fiscal year 1980 as compared to 259 the previous year. The 1980 figure, representing about a 40% increase over the number of disputes closed in 1979, totalled the most cases closed in all categories since 1976.

During the current fiscal year, as Table 3 indicates, the Board also resolved a total of 180 airline mediation

and representation cases—the most in both categories in the Board’s history.

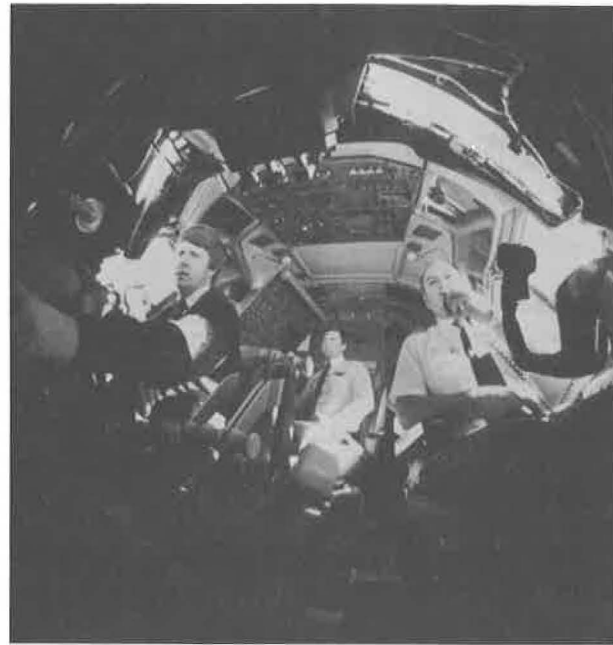
While the resolution of railroad representation cases decreased in 1980, the number of railroad mediation disputes resolved—131—increased by nearly 60% over 1979. One interpretation case was closed out in 1980 as compared to none in 1979.

The National Mediation Board set a 27-year record by closing out 144 railroad and airline representation cases in fiscal 1980.

In addition, the Board resolved 216 railroad and airline mediation cases, an increase of 54% over the previous fiscal year and the largest number closed since 1975.



*STATISTICAL UPDATE*—Mrs. Robin A. Stein of the Research Department shown at work on the word processor updating the Board’s mediation and representation caseload statistics. Checking with her the statistical material that appears in this chapter’s tables is Special Assistant to the Chairman Meredith S. Buel.



*OVER THE LAND AND THROUGH THE AIR—Railroads and airlines move freight and passengers daily across a nation dependent on their transportation services. Heart and soul of the two industries are its employees, many of whom have been organized into groups known as crafts or classes to designate representatives for bargaining purposes under the Act. Crafts or classes represented in the above photos are railroad Maintenance of Way employees and airline Pilots and Co-Pilots and Flight Engineers. Since the Board's inception, over 1,576,000 railroad and airline employees have been involved in craft or class elections to choose their own bargaining representatives.*

## Cases Docketed

All told, the Board's docketed case load of railroad and airline disputes is approaching the 16,000 mark. During fiscal 1980, as Table 1 indicates, there were 268 new cases docketed. This figure reveals an increase in representation and a decrease in mediation cases docketed as compared to 1979 statistics.

During 1980, the Board docketed 128 rail and airline representation cases and, with 51-case carry-over, there were 179 representation cases pending at the beginning of the fiscal year. With the 144-case resolution, there were 35 representation disputes unsettled at the end of fiscal 1980. This contrasted with the 51 representation cases still pending at the close of fiscal 1979.

Table 1 shows the Board docketed 139 rail and airline mediation cases in 1980. With the 1979 carry-over, there were 390 mediation cases pending as fiscal 1980 began. With the resolution of 216 railroad and airline mediation cases, the Board had 174 mediation disputes unsettled at the end of the current fiscal year. This contrasted with the 251 mediation cases still pending at the end of fiscal 1979.

One new interpretation case was docketed in fiscal 1980 as compared to none the previous year.

## Major Group of Employees Involved in Various Cases

Table 2 indicates there were 14,166 employees in railroad and airline representation disputes in fiscal 1980. Most of these employees worked for the airlines. Actually, in 1979, there were more employees involved in representation disputes—20,790—with only 119 cases resolved vis-a-vis the 144 cases closed in 1980. Interestingly, representation disputes closed out by the Board in 1979 and 1980 represented the largest number of representation disputes resolved in single years since 1953, when 154 cases in this category were closed.

Table 2 further shows that resolution in 1980 of 95 airline representation disputes covered 13,397 employees, while in the railroads, 769 workers were involved in the disposition of 49 representation cases.

Table 3 reveals that of the 361 cases closed in fiscal 1980, employees in the railroads were involved in 181 and those in the airlines, 180.

In the railroad industry, as Table 3 indicates, the greatest activity by far was among train, engine and yard service employees with a total of 73 closed cases, including 11 representation and 62 mediation disputes.

In the airline industry, Table 3 indicates pilots were involved in the most disputes—13 representation and 14



mediation cases. They were followed by mechanics and related, 9 representation and 14 mediation; clerical, office fleet and passenger service, 6 representation and 15 mediation; and flight attendants, 4 representation and 10 mediation cases closed.

Table 4 is a summary of crafts or classes of employees involved in representation cases closed out in fiscal year 1980. Involved in a total of 144 closed representation cases—49 in the railroads and 95 in the airlines—were 147 craft or class determinations covering 14,166 employees. This represented the highest number of case closeouts of craft or class determinations since 1954.

NMB records show that nearly 1,300,000 railroad workers have been involved in representation disputes since the Board's first Annual Report was published in 1935. As to the airlines, nearly 400,000 employees have been involved in representation cases since 1938, the first year the Board recorded such disputes in that industry.

## **Election and Certification of Representatives**

Table 2 shows in 1980 that 10,223 employees actively participated in the outcome of railroad and airline elections. Certifications were issued in 57 cases as compared to 56 the previous year. Airlines led the way with 35 certifications. There were 22 certifications in the railroads in fiscal 1980.

As to the 35 airline certifications, there were 35 craft or class determinations involving 11,147 employees, of whom 8,978 participated in the elections. In the railroads, 22 craft or class determinations were involved in

22 certification cases. Some 439 employees participated out of the 535 rail workers involved.

The Board dismissed 87 cases—60 in the airlines and 27 in the railroads.

Table 5 reports the number of employees involved in various representation elections covering national organizations, local unions and/or individuals.

As Table 5 indicates, there was one railroad certification based on verification of authorization cards issued in fiscal 1980; none was issued in either industry in 1979. Sixty-one railroad employees involved in 10 craft or class determinations were represented for the first time by a national labor organization. A larger number of rail employees, 414, were represented for the first time by local unions or individuals in elections covering three crafts or classes.

In the airlines, Table 5 indicates 1,679 employees in 15 craft or class determinations were represented for the first time through a national organization election. Eighty-two unorganized workers in four crafts or classes won representation rights in local union elections. Nearly 4,200 airline employees selected new national union representatives in 6 elections and an additional 4,661 airline workers changed local union representatives in four elections.

Railroad employees, as Table 5 indicates, voted in new representatives in three elections.

In the airlines, several hundred employees involving four crafts or classes retained their same national labor organization following challenges by other unions. Incumbent local unions were also successful in fending off other labor organizations in two elections in 1980.

Table 5 also shows that, in railroad elections, 45 employees in two crafts or classes retained their same national labor organization. Local rail unions were retained involving employees in three craft or class elections.

**Table 1—Number of Cases Received and Closed Out During Fiscal Years 1935-1980**

Status of Cases	46-Year		1975-79	1970-74	1965-69	1960-64
	Period 1935-1980	1980	5-Year Period (Avg.)	5-Year Period (Avg.)	5-Year Period (Avg.)	5-Year Period (Avg.)
All Types of Cases						
Cases Pending and Unsettled at Beginning of Period .....	96	302	290	447	472	248
New Cases Docketed .....	15,853	268	319	300	394	302
Total Cases on Hand and Received .....	15,949	570	609	747	866	550
Cases Closed .....	15,740	361	315	339	356	289
Cases Pending and Unsettled at End of Period .....	209	209	294	408	510	261
Representation Cases						
Cases Pending and Unsettled at Beginning of Period .....	24	51	41	11	22	17
New Cases Docketed .....	5,121	128	111	76	82	62
Total Cases on Hand and Received .....	5,145	179	152	87	104	79
Cases Closed .....	5,110	144	104	74	82	62
Cases Pending and Unsettled at End of Period .....	35	35	48	13	22	17
Mediation Cases						
Cases Pending and Unsettled at Beginning of Period .....	72	251	247	435	447	228
New Cases Docketed .....	10,589*	139	207	221	309	235
Total Cases on Hand and Received .....	10,661	390	454	656	756	463
Cases Closed .....	10,487*	216	208	261	271	221
Cases Pending and Unsettled at End of Period .....	174	174	246	395	485	242
Interpretation Cases						
Cases Pending and Unsettled at Beginning of Period .....	None	0	0	2	3	3
New Cases Docketed .....	143	1	2	2	3	5
Total Cases on Hand and Received .....	143	1	2	4	6	8
Cases Closed .....	143	1	2	3	3	5
Cases Pending and Unsettled at End of Period .....	0	0	0	1	3	3

\*This figure does not include reopened and reclosed cases.

**Table 2—Representation Case Disposition by Craft or Class, Employees Involved and Participating, October 1, 1979 to September 30, 1980**

	Railroads				Airlines			
	Number of Cases	Number of Crafts or Classes	Number of Employees Involved	Number of Participating Employees	Number of Cases	Number of Crafts or Classes	Number of Employees Involved	Number of Participating Employees
Total .....	49	49	769	509	95	98	13,397	9,714
Disposition:								
Certification .....	22	22	535	439	35	35	11,147	8,978
Dismissals .....	27	27	234	70	60	63	2,250	736
Combined Railroad and Airline Cases .....	144	147	14,166	10,223				



**Table 3—Number of Cases Closed By Major Groups of Employees,  
October 1, 1979 to September 30, 1980**

	All Types of Cases	Represent- ation Cases	Mediation Cases	Interpre- tation Cases
Grand Total, All Groups of Employees .....	361	144	216	1
<b>Railroad Total .....</b>	<b>181</b>	<b>49</b>	<b>131</b>	<b>1</b>
Agents, Telegraphers and Towermen .....	2	0	2	0
Boilermakers and Blacksmiths .....	1	0	1	0
Carmen .....	7	2	5	0
Clerical, Office, Station and Storehouse .....	11	3	8	0
Dining Car Employees, Train and Pullman				
Porters .....	0	0	0	0
Electrical Workers .....	2	0	2	0
Firemen and Oilers .....	2	0	2	0
Machinists .....	17	3	14	0
Maintenance of Equipment .....	0	0	0	0
Maintenance of Way and Signalmen .....	9	4	5	0
Marine Servicemen .....	1	0	1	0
Mechanical Foremen and/or Supervisors of				
Mechanics .....	4	1	3	0
Patrolmen and Police Officers .....	9	5	4	0
Sheet Metal Workers .....	1	0	1	0
Subordinate Officials in Maintenance of Way....	3	3	0	0
Technical Engineers, Architects and				
Draftsmen, etc. ....	0	0	0	0
Train Dispatchers .....	4	1	3	0
Train, Engine and Yard Service .....	73	11	62	0
Yardmasters .....	11	4	7	0
Combined Groups, Railroad .....	6	0	5	1
Miscellaneous Railroad .....	18	12	6	0
<b>Airline Total .....</b>	<b>180</b>	<b>95</b>	<b>85</b>	<b>0</b>
Airline Dispatchers .....	7	2	5	0
Clerical and Related .....	1	1	0	0
Clerical, Office, Fleet and Passenger Service .....	21	6	15	0
Commissary-Catering Employees .....	1	1	0	0
Crew Schedulers .....	1	1	0	0
Customer Service .....	1	1	0	0
Fleet and Passenger Service .....	12	12	0	0
Fleet Service .....	6	6	0	0
Flight Attendants .....	14	4	10	0
Flight Engineers .....	3	1	2	0
Guards .....	0	0	0	0
Mechanics and Related .....	23	9	14	0
Meteorologists .....	1	0	1	0
Nurses .....	1	0	1	0
Office Clerical .....	4	4	0	0
Passenger Service .....	4	4	0	0
Pilots .....	27	13	14	0
Radio and Teletype Operators .....	2	0	2	0
Stock and Stores .....	12	8	4	0
Combined Groups, Airline .....	8	1	7	0
Miscellaneous Airline .....	31	21	10	0

**Table 4—Number of Craft or Class Determinations and Number of Employees Involved in Representation Cases by Major Groups of Employees, October 1, 1979 to September 30, 1980**

Major Groups of Employees	Number of Cases	Number of Craft or Class Determinations	Employees Involved	
			Number	Percent <sup>1</sup>
Grand Total, All Groups of Employees .....	144	147	14,166	100
<b>Railroad Total .....</b>	<b>49</b>	<b>49</b>	<b>769</b>	<b>6</b>
Agents, Telegraphers and Towermen .....	0	0	0	0
Carmen .....	2	2	4	*
Clerical, Office, Station and Storehouse Employees .....	3	3	36	*
Dining Car Employees, Train and Pullman Porters .....	0	0	0	0
Engine Service .....	5	5	8	*
Maintenance of Equipment .....	5	5	6	*
Maintenance of Way and Signalmen .....	4	4	13	*
Marine Service .....	0	0	0	0
Mechanical Department Foremen and/or Supervisors of Mechanics .....	1	1	0	0
Patrolmen and Police Officers .....	5	5	48	*
Subordinate Officials, Maintenance of Way .....	3	3	202	1
Technical Engineers, Architects, Draftsmen and Allied Workers .....	0	0	0	0
Train Dispatchers .....	1	1	29	*
Train Service .....	5	5	5	*
Yardmasters .....	4	4	414	3
Yard Service .....	1	1	4	*
Combined Groups, Railroad .....	0	0	0	0
Miscellaneous, Railroad .....	10	10	0	0
<b>Airline Total .....</b>	<b>95</b>	<b>98</b>	<b>13,397</b>	<b>94</b>
Airline Dispatchers .....	2	2	11	*
Clerical and Related Employees .....	1	1	0	*
Clerical, Office, Fleet and Passenger Service Employees .....	6	6	6,564	46
Commissary Employees .....	1	1	258	2
Crew Scheduler .....	1	1	4	*
Customer Service Employees .....	1	1	0	0
Fleet and Passenger Service .....	12	12	3,091	21
Flight Attendants .....	4	4	764	0
Flight Engineers .....	1	1	202	1
Flight Navigators .....	0	0	0	0
Flight Service Employees .....	6	6	4	*
Mechanics and Related .....	9	9	1,408	9
Meteorologists .....	0	0	0	0
Office Clerical Employees .....	4	4	21	*
Passenger Service Employees .....	4	4	551	4
Pilots .....	13	13	302	5
Radio and Teletype Operators .....	0	0	0	0
Stock and Stores Employees .....	8	8	124	*
Combined Groups, Airline .....	1	4	0	*
Miscellaneous, Airline .....	21	24	93	*

\*Less than 1 percent.

<sup>1</sup>Percent listing for each group represents the percentage of the 14,166 employees involved in all railroad and airline cases in fiscal 1980.

**Table 5—Number of Crafts or Classes Certified and Employees Involved in Various Types of Representation Cases, October 1, 1979 to September 30, 1980**

	National Organizations			Local Unions and/or Individuals			Total		
	Craft or Class	Employees Involved		Craft or Class	Employees Involved		Craft or Class	Employees Involved	
		Number	Percent <sup>1</sup>		Number	Percent <sup>1</sup>		Number	Percent <sup>1</sup>
<b>RAILROADS</b>									
Representation Acquired:									
Elections .....	10	61	*	3	414	3	13	475	3
Proved Authorizations .....	1	2	*	0	0	0	1	2	*
Representation Changed:									
Elections .....	1	1	*	2	5	*	3	6	*
Proved Authorizations .....	0	0	0	0	0	0	0	0	0
Representation Unchanged:									
Elections .....	2	45	*	3	7	*	5	52	*
Proved Authorizations .....	0	0	0	0	0	0	0	0	0
Total, Railroad .....	14	109	*	8	426	3	22	535	3
<b>AIRLINES</b>									
Representation Acquired:									
Election .....	15	1,679	11	4	82	*	19	1,761	12
Proved Authorizations .....	0	0	0	0	0	0	0	0	0
Representation Changed:									
Election .....	6	4,191	29	4	4,661	33	10	8,852	62
Proved Authorizations .....	0	0	0	0	0	0	0	0	0
Representation Unchanged:									
Election .....	4	401	3	2	133	*	6	534	4
Proved Authorizations .....	0	0	0	0	0	0	0	0	0
Total, Airline .....	25	6,271	44	10	4,876	34	35	11,147	78
Total, Combined Railroad and Airline ...	39	6,380	45	18	5,302	37	57	11,682	82

\*Less than one percent.

<sup>1</sup>Percent listing for each group represents the percentage of the 14,166 employees involved in all railroad and airline cases in fiscal 1980.

NOTE—These figures do not include cases 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, 1980

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

See footnotes at end of table.

**Table 6—Employee Representation on Selected Rail Carriers as of September 30, 1980—Continued**

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

\* Carriers report no employees in this craft or class.  
X Employees in this craft or class but not covered by agreement.

**Table 6a—Employee Representation on Selected Rail Carriers as of September 30, 1980 (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 Rwy.	MMP	MEBA	IUP	—	—	—	—
Chesapeake & Ohio Rwy.:							
Chesapeake District	MMP	MEBA	SIU	USWA	—	—	—
Pere Marquette District	MMP	GLLO	NMU	NMU	—	—	NMU
Grand Trunk Western RR	GLLO	MEBA	NMU	NMU	—	—	NMU
Norfolk & Western Rwy.	GLLO	MEBA	USWA	USWA	MEBA	—	—

**Table 6b—Employee Representation on Selected Air Carriers as of September 30, 1980**

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&AW	ALEA <sup>1</sup>	—
American Airlines, Inc.	APA	FEIA	—	TWU	APFA	TWU	TWU	—	TWU
Braniff International	ALPA	—	—	ADA	AFA	IBT	IAM&AW	IBT	—
Continental Airlines, Inc.	ALPA	ALPA	—	TWU	UFA, Loc. 1	—	IAM&AW	—	IAM&AW
Delta Air Lines, Inc.	ALPA	—	—	PAFCA	—	—	—	—	—
Eastern Air Lines, Inc.	ALPA	ALPA	—	IAM&AW	TWU	IAM&AW	IAM&AW	—	IAM&AW
Frontier Airlines, Inc.	ALPA	—	—	TWU	AFA	—	IAM&AW	ALEA	IAM&AW
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	IBT	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
U.S. Air	ALPA	—	—	—	AFA	—	IAM&AW	IBT <sup>2</sup>	IAM&AW
Western Airlines, Inc.	ALPA	ALPA	—	TWU	AFA	BRAC	IBT	ATE	IBT

<sup>1</sup> Passenger Service Employees Only.

<sup>2</sup> Fleet Service Employees Only.

**Table 7—Unions Associated with Rail and Air Carriers**

**RAILROADS**

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 (ARASA)	Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees (American Railway and Airline Supervisors Association Division)
BRAC	Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees
BRC	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)**

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<b>AIRLINES</b>	
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
ATE	Air Transport Employees
BRAC (ARASA)	Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees (American Railway and Airline Supervisors Association Division)
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
UAW	United Automobile, Aircraft, Agricultural Implement Workers of America
UFA, Local 1	Union of Flight Attendants, Local 1
<b>MARINE</b>	
GLLO	Great Lakes Licensed Officers' Organization
IUP	Inlandboatmen's Union of 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

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## VI. Strikes in the Railroad and Airline Industries

There were four railroad and three airline strikes in fiscal year 1980, one of the lowest strike records in recent years. This was about half the number of strikes that occurred in the two industries in 1979 (there were 13). All agreements were reached through mediation during the current fiscal year. Strikes in 1980 occurred on only one Class I line-haul railroad and on none of the airline trunk carriers. Two railroad strikes are still in progress. Table 8 identifies the work stoppages. Strikes of less than 24 hours are not included. A brief account of each follows:

### Railroads:

**A-10412, A-10434, A-10441, A-10442, A-10456, A-10457, A-10472, A-10489, A-10493, A-10512 and A-10527—The Long Island Rail Road Company and Brotherhood of Locomotive Engineers, Brotherhood of Railroad Signalmen, Brotherhood Railway Carmen of the United States and Canada, International Brotherhood of Teamsters, Police Benevolent Association, Railroad Yardmasters of America and the United Transportation Union.**

The nation's largest and busiest commuter railroad was struck December 8, 1979, following a series of intensive mediation sessions conducted by the National Mediation Board during the past year. The seven unions in dispute, representing nearly 4,000 of the Long Island's 6,200 employees, struck over wages, rules and working conditions. Ten other labor organizations representing a minority of the employees settled December 14 after several additional days of mediation with the Board in New York. When it became apparent the seven unions—which consisted of an informal coalition of "operating employees"—would not settle, the President used his authority under the Railway Labor Act to appoint Emergency Board 192. This followed notification by the National Mediation Board that The Long Island Rail Road strike was depriving a section of the country of essential transportation services. The striking unions returned to work the same day the President issued

Executive Order 12182, resulting in the appointment of an emergency board.

The board was chaired by James J. Reynolds, former Under Secretary of Labor, with Ida Klaus, attorney, labor arbitrator and member of the New York State Public Employment Relations Board and Nicholas H. Zumas, attorney, labor arbitrator and member of the District of Columbia Public Employee Relations Board, as members.

Although under no statutory obligation to do so, the emergency board on January 4, 1980, tried unsuccessfully to mediate a settlement. It soon became apparent that the parties were still far apart on a number of economic issues. The situation was further complicated by the fact that, even after an exchange of revised proposals, there were still over 200 proposed work rule changes on the table. The board then wrote its report and submitted it along with recommendations for settlement to the President on January 14.

But in subsequent months—while continuing in mediation—the seven unions and the carrier still could not agree on a series of wage increases and cost of living adjustments.

The International Brotherhood of Teamsters, representing The Long Island's maintenance of way employees, struck the Carrier on April 1, again shutting down the railroad. Work resumed after a two-day work stoppage and the parties returned to the bargaining table.

Through the efforts of then NMB Chairman Robert O. Harris, assisted by staff mediator Francis J. Dooley, the parties finally agreed on April 11 on an economic package lasting for three years. The settlement brought to an end 16 months of negotiations, marred by two strikes on this Class I railroad that each weekday carries 265,000 passengers to and from New York City.

**A-10417—Port Authority Trans-Hudson Corporation and Brotherhood Railway Carmen of the U.S. and Canada**

What was to become an 82-day work stoppage began June 12, 1980, when employees of the Brother-



hood Railway Carmen of the U.S. and Canada shut down the Port Authority Trans-Hudson Corporation, known as PATH.

Local 1330 of the Carmen, representing 177 PATH employees involved in the dispute, had been in contract negotiations with the Carrier for more than a year. The parties participated in a series of intense mediation sessions with the National Mediation Board during that time, but could not reach agreement on such issues as wage increases, a supplemental pension plan and job security.

A Board proffer of arbitration was rejected and the parties were still deadlocked following a 30-day status quo. It was then that the President appointed an emergency board because of the essential transportation service provided by PATH and the substantial interruption to interstate commerce that would occur if the carrier were struck.

PATH, a wholly-owned subsidiary of the Port Authority of New York and New Jersey, is a 13.9 mile rapid transit system that transports over 75 percent of all rail passengers entering New York from New Jersey. Between 150,000 and 160,000 passengers are transported by PATH each weekday.

On April 12 the President appointed Emergency Board 193, chaired by Arthur Stark, with members Thomas G. S. Christensen and Dr. Clara H. Friedman, all well known New York City arbitrators.

After four weeks of investigation of all issues in the dispute and hearings focused on presentations of the parties' position, the Board on May 12 submitted its report with recommendations to the President. In the next 30 days the parties, with NMB assistance, attempted to use the report as a basis for settlement but still could not agree on an economic package suitable to both sides.

The union, at the end of the 60-day cooling off period required by law, struck the Carrier on June 12.

As the weeks dragged on, with no prospects of a settlement in sight, NMB Member Robert J. Brown, who headed a mediation team that included Francis J. Dooley and E.B. Meredith, urged the parties to transfer bargaining from New Brunswick, N.J., to Board headquarters in Washington, D.C. Mr. Brown urged the parties "to make a very special effort to resolve" their protracted dispute over wages "as quickly as possible." Both Peter C. Goldmark, Jr., PATH President and Executive Director of the New York and New Jersey Port Authority, which owns and operates the deficit-ridden railroad, and O.W. Jacobson, International President of the Brotherhood Railway Carmen attended the Washington meeting in a concerted effort to resolve the dispute.

Two days of talks proved futile, however, and mediation resumed in Elizabeth, New Jersey.

More weeks of lengthy negotiations ensued, during which time mediators and party negotiators spent many hours hammering out wording of the major contract issues covering wages, pensions and job security.

Finally, Mr. Brown on August 27 was able to announce that a tentative agreement (subsequently ratified) had been reached, ending the prolonged strike. PATH's nearly 300-car rolling stock resumed operation following Labor Day, September 2, 1980, to the relief of tens of thousands of New Jersey commuters.

#### **A-10475—Canton Railroad Company and United Transportation Union**

This dispute over wages, rules and working conditions began when the United Transportation Union filed a Section 6 notice on July 1, 1977, of intent to change an existing agreement with the railroad covering 24 engineers, firemen and hostlers. The Carrier, a short line railroad serving 42 industries in the Baltimore (Md.) area, subsequently submitted counter proposals to the union's demands while in direct negotiations. When both sides reached an impasse, the National Mediation Board entered the case to assist the parties in an attempt to bring about settlement. The dispute in mediation was narrowed down to two issues—car cabling and overtime—but they could not be resolved. Voluntary arbitration offered by the Board was rejected by the union on May 14, 1980.

The Carrier was struck on July 8, 1980, and the work stoppage continued into fiscal year 1981.

#### **A-10566—Belfast and Moosehead Lake Railroad Company and International Brotherhood of Electrical Workers**

A strike by 29 IBEW employees began August 7, 1980, following intensive mediation sessions with the parties. The Union had earlier accepted the Board's proffer of arbitration although it was rejected by the Carrier, triggering a 30-day status quo period. The IBEW, representing brakemen, carmen, conductors, engineers, machinists and maintenance of way employees, struck the carrier after an agreement could not be reached covering wages, rules and working conditions. It was believed to be the first strike in the 110-year history of the railroad and the work stoppage was still in progress at the close of the fiscal year.



## Airlines:

### A-10526—Southwest Airlines Company and International Association of Machinists and Aerospace Workers

The IAM&AW struck this busy Dallas-based commuter airline January 13, 1980, despite marathon mediation sessions by the Board up to the last minute before the strike deadline. Several issues remained unresolved, the primary one being pay rates. The 103 Southwest machinists claimed they struck mainly to get wage rates up to airline industry standards.

The Carrier, in the meantime, continued operations on a scaled-down basis, flying more than half of its flights to various Texas cities and New Orleans with management and supervisory personnel.

Before the strike, the negotiation team had accepted one contract offer by the airline but it was rejected by the membership. As the strike progressed, the parties met with the NMB in public interest mediation, resulting in a "give and take" series of bargaining sessions. The 19-day strike finally ended following the signing of a 3-year contract by the negotiators. The Carrier resumed its normal 23-aircraft operation on February 1, 1980, enabling it to provide uninterrupted service for nearly 6 million passengers during the rest of the year.

### A-10458 and A-10463—Altair Airlines, Inc., and International Association of Machinists & Aerospace Workers

After nine months of continuous bargaining with the assistance of the National Mediation Board, the

IAM&AW representing Mechanics and Fleet & Passenger Service Employees, struck the Philadelphia-based carrier on April 13, 1980.

The strike was to continue 127 days in a dispute over wages, rules and working conditions. The airline remained partially operational and a factor in prolonging the strike was hammering out a suitable back-to-work agreement as certain jobs had been taken over by non-striking employees. Again, mediation in the public interest played a significant role in finally resolving this dispute. The 200 IAM&AW employees returned to work August 18, 1980, following ratification of the new contract.

### A-10471—Ozark Airlines, Inc., and Aircraft Mechanics Fraternal Association

Some 650 AMFA Mechanics and Related Employees working for Ozark struck the airline on May 6, 1980—the second time the Carrier had been shut down in a nine-month period. The St. Louis-based airline had endured a 52-day strike by its Flight Attendants that began September 14, 1979.

Although several major issues in Ozark's dispute with AMFA were involved, wages constituted the main stumbling block to settlement. The parties, at NMB Board Member Robert J. Brown's request, agreed to meet with him and staff mediator Charles A. Peacock at NMB headquarters in Washington, D.C., on May 15, 1980. Intense mediation sessions in the public interest went on for three days and, on the afternoon of May 17, Mr. Brown announced the parties had reached a tentative agreement. The 3-year contract was subsequently ratified. On June 2, 1980, after a 27-day strike, Ozark resumed flights to cities in the 19 states the Carrier serves.

Table 8—Strikes in the Railroad Industry, October 1, 1979 to September 30, 1980

Carrier	Organization	Craft or Class	Date of Work Stoppage	Date Work Resumed	Number of Days	Issues	Number of Employees	Disposition
The Long Island RR (Case Nos. A-10456 & A-10489)	Brotherhood of RR Signalmen	Signalmen	Dec. 8, 1979 and Apr. 1, 1980	Dec. 14, 1979 and Apr. 3, 1980	6 2	Wages, Rules & Working Condi- tions	4,000	Executive Order 12182 created Emergency Board 192, appointed by President December 14, 1979. Report submitted to President January 14, 1980. Agreement reached through mediation May 13, 1980.
			"	"	"			
(Case No. A-10441)	RR Yardmasters of America	Yardmasters	"	"	"	"	"	Agreement reached through mediation May 20, 1980.
(Case Nos. A-10434 & A-10512)	Int'l. Bro. of Team- sters, Local 808	Maintenance of Way Empls.	"	"	"	"	"	Agreement reached through mediation May 12, 1980.
(Case Nos. A-10412 & A-10527)	Bro. Railway Carmen of the U.S. & Canada	Carmen	"	"	"	"	"	Agreement reached through mediation May 12, 1980.

**Table 8—Strikes in the Railroad Industry, October 1, 1979 to September 30, 1980 (continued)**

Carrier	Organization	Craft or Class	Date of Work Stoppage	Date Work Resumed	Number of Days	Issues	Number of Employees	Disposition
(Case No. A-10442)	United Transportation Union	Var. Oper. Empls, Maint. of Way Supvrs. & Spec. Svcs. Attendants	"	"	"	"	"	Agreement reached through mediation May 28, 1980.
(Cases Nos. A-10457 & A-10493)	Bro. of Loco. Engineers	Engineers	"	"	"	"	"	Agreement reached through mediation May 29, 1980.
(Case No. A-10472)	Police Benevolent Assn.	Police	"	"	"	"	"	Agreement reached through mediation May 12, 1980.
Port Authority Trans-Hudson Corp. (PATH) (Case No. A-10417)	Brotherhood Railway Carmen of the U.S. & Canada	Carmen	June 12, 1980	Sept. 2, 1980	82	Wages, Rules & Working Conditions	177	Executive Order 12207 created Emergency Board 193, appointed by President April 12, 1980. Report submitted to President May 12, 1980. Agreement reached through mediation September 2, 1980.
Canton RR Co. (Case No. A-10475)	United Transportation Union	Yd. Engrs. Firemen, Hostlers	July 8, 1980	—	—	Wages, Rules & Working Conditions	24	Strike still in progress.
Belfast & Moosehead Lake RR Co. (Case No. A-10566)	Int'l Bro. of Elect. Workers	Brakemen, Car-men, Conductors, Engrs., Machs., & Maint. of Way Empls.	Aug. 7, 1980	—	—	Wages, Rules & Working Conditions	29	Strike still in progress.

**Table 8a—Strikes in the Airline Industry, October 1, 1979 to September 30, 1980**

Carrier	Organization	Craft or Class	Date of Work Stoppage	Date Work Resumed	Number of Days	Issues	Number of Employees	Disposition
Southwest Airlines (Case No. A-10526)	Int'l. Assn. of Machinists & Aerospace Wrks.	Mechs. & Related Empls.	Jan. 13, 1980	Feb. 1, 1980	19	Wages, Rules & Working Conditions	103	Agreement reached through mediation January 30, 1980.
Altair Airlines, Inc. (Case Nos. A-10458 & A-10463)	Int'l. Assn. of Machinists & Aerospace Workers	Mech. & Related, Fleet & Psgr. Svc.	April 13, 1980	Aug. 20, 1980	129	Wages, Rules & Working Conditions	200	Agreement reached through mediation October 1, 1980.
Ozark Airlines Inc. (Case No. A-10471)	Aircraft Mech. Frat. Assn.	Mechs. & Related Empls.	May 6, 1980	June 2, 1980	27	Wages & Cost of Living Adjustment	650	Agreement reached through mediation May 29, 1980.





## The Mediator at Work—A Photo Story

A pundit once wrote: "The mediator is completely impartial, a confidential adviser who neither takes sides nor forces decisions. It is his job to listen, review, analyze, suggest, advise, reason and explore all possible means of reaching an agreement in the public interest."

These words had a familiar ring during the nearly 12-week shutdown of the Port Authority Trans-Hudson

railroad by the Brotherhood Railway Carmen (summarized in Strike Report). Mediating that dispute was Board Member Robert J. Brown, assisted alternately by staff Mediators Francis J. Dooley and E.B. Meredith. The NMB's vital role in resolving labor-management disputes was graphically portrayed in the following press photos taken during the strike:



**MEDIATION IN PROGRESS**—Board Member Brown, at head of table, assisted by Mediator Dooley, meets with striking Carmen and PATH negotiators in Washington, D.C., in an attempt to mediate a settlement. Leading the two delegations are PATH President Peter C. Goldmark, Jr., at Mr. Dooley's right, and Carmen's International President O.W. Jacobson, at Mr. Brown's left.



**SUCCESS AT LAST**—It is a time for rejoicing for more than 150,000 New Jersey-New York commuters as Mr. Brown announces a tentative agreement has been reached (August 27, 1980), at a press conference in Elizabeth, New Jersey. Joining him are (left to right) Alan Sagner, Port Authority Chairman; Daniel J. Rusinko, PATH Chief Negotiator; (Mr. Brown); and Francis A. Gorman, PATH Vice President and General Manager. The agreement was promptly ratified by the Carmen.



**BACK ON TRACK**—A PATH employee checks signal boxes as PATH prepares to resume full operations September 2 after 82 days of strike-bound inactivity.





## VII. Agreements Reached through Direct Negotiations

The heart of the Railway Labor Act is the duty imposed upon both carrier and employee representatives to exert reasonable effort to settle their own disputes concerning pay, rules and working conditions. Direct bargaining by the parties under the Railway Labor Act is extensive and often independent of third party intervention. The importance of objective Board mediation is its availability to the parties if they do reach a deadlock in face-to-face negotiations.

The Act requires carriers to file working agreements with the Board. If no contract with any craft or class of its employees has been entered into, the carrier is required to file with the 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, itemized by class of carrier and type of labor organization filed with the Board from 1935-1980. In this fiscal year, there were 154 new railroad and 71 airline agreements filed with the

Board. A total of 8,191 agreements are on file in the Board's offices, of which 1,275 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 carriers 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 in suitable areas 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 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, 1979 to September 30, 1980**

Fiscal Year	All Carriers	Class I	Class II	Class III	Switching and Terminal	Electric	Express and Pullman	Miscellaneous Railroad Carriers	Air Carriers
Total:									
1980	8,191	4,462	1,144	2	970	178	18	142	1,275
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, 1979 to September 30, 1980—Continued**

Fiscal Year	All Carriers	Class I	Class II	Class III	Switching and		Express and Pullman	Miscellaneous Railroad Carriers	Air Carriers
					Terminal	Electric			
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:									
1980	8,094	4,404	1,140	2	952	174	18	141	1,263
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:									
1980	97	58	4	—	18	4	—	1	12
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	—	—	—	—	—	—	—





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

### **Interpretation of Agreements Reached Through Mediation (Major Disputes)**

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 positions. This 30-day period is construed as advisory rather than mandatory.

The Board has consistently been required, however, to prevent incursions on various railroad and airline boards of adjustment, to put a narrow interpretation on its duties under Section 5 of the Act. Therefore, the Board does not accept a request for interpretation once an agreement negotiated through mediation has been implemented, or applied by the parties. Any subsequent dispute involving the interpretation or application of the provisions of the agreement is to be considered either by the National Railroad Adjustment Board under Title I of the Act or a System Board of Adjustment under Title II of the Act.

One interpretation case was closed out in fiscal year 1980. Since the Board's inception, it has closed 143 interpretation cases under the Act's provisions as compared to a total of 6,966 agreements reached through mediation during the same period.

### **National Railroad Adjustment Board Handles Grievances (Minor Disputes)**

The National Railroad Adjustment Board hears and decides disputes involving railway employee grievances and questions concerning the application and interpretation of agreement rules. Its decisions are final and binding on both parties to the dispute.

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

The first division is comprised of eight members, four selected by carrier and four by labor.

The second and third divisions are comprised of 10 members also equally divided. The NRAB and its four divisions are headquartered 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 of any dispute being considered, because of deadlock or inability to obtain 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 46-year existence the Adjustment Board has closed out 77,674 of the 79,338 cases received. Table 10 that follows shows that 914 cases were closed in fiscal year 1980—8134 by decision with referee, 4 by decision without referee and 76 by withdrawal. In fiscal year 1980, 1,065 new cases were received as compared to 1,071 for fiscal year 1979.



**Table 10—Cases Docketed and Closed by the National Railroad Adjustment Board,  
October 1, 1979 to September 30, 1980**

Cases	46-Year Period	1980	1979	1978	1977	Transition Quarter	1976
<b>ALL DIVISIONS</b>							
Open and on hand at beginning of period . . . . .	—	1,513	1,405	1,443	1,485	1,476	1,392
New Cases docketed . . . . .	79,338	1,065	1,071	914	851	242	970
Total number of cases on hand and docketed . . . . .	79,338	2,578	2,476	2,357	2,336	1,718	2,362
Cases Closed . . . . .	77,674	914	963	952	893	233	886
Decided without referee . . . . .	12,582	4	5	4	4	1	7
Decided with referee . . . . .	39,350	834	885	890	799	144	760
Withdrawn . . . . .	25,742	76	75	63	91	89	127
Open cases on hand close of period . . . . .	1,664	1,664	1,513	1,405	1,443	1,485	1,476
<b>FIRST DIVISION</b>							
Open and on hand at beginning of period . . . . .	—	507	518	530	534	546	626
New cases docketed . . . . .	43,228	61	65	67	47	9	90
Total number of cases on hand and docketed . . . . .	43,228	568	583	597	581	555	716
Cases closed . . . . .	42,716	56	76	79	51	21	170
Decided without referee . . . . .	10,919	0	1	2	2	1	5
Decided with referee . . . . .	12,334	48	71	74	47	10	100
Withdrawn . . . . .	19,463	8	4	4	2	10	65
Open cases on hand close of period . . . . .	512	512	507	518	530	534	546
<b>SECOND DIVISION</b>							
Open and on hand at beginning of period . . . . .	—	402	394	325	241	236	185
New cases docketed . . . . .	8,840	469	463	385	310	68	244
Total number of cases on hand and docketed . . . . .	8,840	871	857	710	551	304	429
Cases closed . . . . .	8,278	309	455	316	226	63	193
Decided without referee . . . . .	734	0	0	0	0	0	2
Decided with referee . . . . .	6,628	295*	439	313	214	51	176
Withdrawn . . . . .	916	14	16	3	12	12	15
Open cases on hand close of period . . . . .	562	562	402	394	325	241	236
<b>THIRD DIVISION</b>							
Open and on hand at beginning of period . . . . .	—	564	459	532	636	644	498
New cases docketed . . . . .	23,460	430	460	391	377	128	505
Total number of cases on hand and docketed . . . . .	23,460	994	919	923	1,013	772	1,003
Cases closed . . . . .	22,918	452	355	464	481	136	359
Decided without referee . . . . .	922	4	4	2	2	—	—
Decided with referee . . . . .	17,698	408**	321*	416	421	73	830
Withdrawn . . . . .	4,298	41	32	46	59	63	30
Open cases on hand close of period . . . . .	542	542	564	459	532	636	644

**Table 10—Cases Docketed and Closed by the National Railroad Adjustment Board,  
October 1, 1979 to September 30, 1980—Continued**

Cases	46-Year Period	1980	1979	1978	1977	Transition Quarter	1976
<b>FOURTH DIVISION</b>							
Open and on hand at beginning of period .....	—	40	34	56	74	450	83
New cases docketed .....	3,810	105	83	71	117	37	131
Total number of cases on hand and docketed .....	3,810	145	117	127	191	87	214
Cases closed .....	3,762	97	77	93	135	13	164
Decided without referee .....	0	0	0	0	0	0	0
Decided with referee .....	2,692	84	54	83	117	9	147
Withdrawn .....	1,070	13	23	10	18	4	17
Open cases on hand close of period .....	48	48	40	34	56	74	50

\* Does not Include Second Award Issue On Docket No. 7735.

\*\* Second Award Rendered On One Case Decided By Referee.

### **Airline System Boards of Adjustment**

No national adjustment board exists 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 four new special boards of adjustment established in 1980. A total of 17 boards convened. These boards had closed 1,217 cases, including 790 cases withdrawn from one special board, as of September 30, 1980. This figure compares with 645 cases closed out during fiscal year 1979.

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

### **Public Law Boards—Railroads**

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 boards of adjustment designated 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 and also reduce the caseload of various divisions of the National Railroad Adjustment Board.

Neutral members of public law boards are appointed by the National Mediation Board only if the parties are unable to select a neutral chairman. 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 1980, 296 public law boards were established. Fourteen involved procedural issues and

282 merit issues. During the year, 332 boards were convened—12 involved procedural issues and 320 dealt solely with the merits of specific grievances. Public law boards closed (decided and/or withdrawn) 5,151 cases during the fiscal year. Twelve covered procedural and 5,139 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 interest 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, workers adversely affected by discontinuation of intercity passenger rail service receive prescribed 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.

Neutral referees designated by the National Mediation Board pursuant to provisions of the Rail Passenger Service Act are listed in Appendix B, table 6.





## IX. 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 Railway Labor 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.

Subject to the Board's direction, administration of affairs is the responsibility of the Executive Secretary. The agency has a total of 45 employees, 20 of whom are field mediators stationed throughout the U.S.

The Board performs two distinct functions under the Railway Labor Act. First, it mediates disputes over wages, rules and working conditions which occur between the employees and the carriers. As to mediation, a party may request the services of the Board or the Board, of its own volition, may intervene in negotia-



*NATIONAL MEDIATION BOARD MEETS WITH LABOR LEADERS—Board members discussed collective bargaining matters during a get-together of all railroad labor leaders in Washington, D.C., this fiscal year. Board Member Robert O. Harris (left) is shown with B.C. Hilbert, then President, American Train Dispatchers Association, and R. Thomas Bates, President, Brotherhood of Railroad Signalmen.*

tions. In either case, once the agency's services have been invoked, the status quo must be maintained until the parties are released by the Board. Second, the Board administers the procedures to resolve representation disputes involving labor organizations which seek to represent railroad or airline employees. This includes investigation of the dispute, conducting a hearing when issues arise that require defining the proper craft or class and certifying the results of the employees' choice.

Other Board duties include legal activities involving the agency, including court litigation and liaison with the Department of Justice; notification to the President when disputes arise which could interrupt interstate commerce—he, in turn, in his discretion can appoint an emergency board; interpretation of agreements reached in mediation; appointment of neutral referees and arbitrators as required by law; and administrative and legal support to the National Railroad Adjustment Board.

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

Joseph E. Anderson	Thomas C. Kinsella
Charles R. Barnes	Faye M. Landers
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
Thomas B. Ingles	John B. Willits

## NMB Financial Statement for Fiscal Year 1980

The Congress appropriated \$4,444,000 for fiscal year 1980. Obligations and expenses incurred for the various activities of the Board follows:

	1980
Mediation	\$2,256,792.
Voluntary arbitration and emergency disputes	65,485.
Adjustment of railroad grievances	1,962,513.

Accounting of all moneys appropriated by Congress for the fiscal year 1980, pursuant to the authority conferred by the Railway Labor Act approved May 20, 1926 (amended June 21, 1934):

	1980 Actual
Expenses and obligations:	
Personnel compensation	\$3,035,000.
Personnel benefits	173,000.
Travel and transportation of persons	387,000.
Standard level user charges	240,000.
Other rent, communications, and utilities	160,000.
Printing and reproduction	41,000.
Other services	66,000.
Supplies and materials	36,000.
Equipment	147,000.
Unobligated balance, lapsing	252,000.
Budget authority	\$4,444,000.



## X. 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.

### 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



*TO CREATE A GREATER AWARENESS—As part of the NMB's ongoing program to create a greater awareness of the Railway Labor Act and its benefits to the two industries it serves, the Board Members addressed various conferences and work shops around the country in fiscal 1980. Board Chairman George S. Ives explains to a questioner the functions of the NMB as they relate to the administration of the Act while addressing United Transportation Union General Chairmen at the George Meany Center for Labor Studies. At right is James E. Burke, UTU Vice President.*



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 duties imposed by law: The interpretation of agreements made under its mandatory 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.

### **97% Settlement Rate**

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. 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 are 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 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 failed to produce a settlement in a predetermined number of days, will be submitted to final and binding arbitration without either party resorting to independent action).

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 uses 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 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 193 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 1980 there were two emergency boards appointed by the President. They centered on disputes between The Long Island Rail Road and seven unions and the Port Authority Trans-Hudson Corp. (PATH) and the Brotherhood Railway Carmen of the United States and Canada.

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.<sup>1</sup>

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 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.

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<sup>1</sup>Other important actions included the Erdman Act, 1898; Newlands Act, 1913; Federal Control of Railroads, 1917-20; and Transportation Act of 1920.





## Special Report: Unions Increase Organizing Efforts on Foreign Flag Air Carriers<sup>1</sup>

This study reviews the history and pattern of union organizing of U.S.-based workers employed by foreign flag air carriers. Foreign flag carriers that operate within the United States or its territories are covered under Section 201 of the Railway Labor Act which gives the National Mediation Board jurisdiction over "every common carrier by air engaged in interstate or foreign commerce. . . ." As of September 30, 1980, the Board had asserted jurisdiction and processed applications for its representation services on foreign flag carriers from approximately 65 countries.

Data from Table 1 tend to indicate that foreign flag operations in the U.S. have grown substantially in the decade of the 1970's. Between 1970 and 1980, the foreign flags increased their share of passengers either entering or departing from the U.S. from 44.8 percent to 50.9 percent. Foreign flag airlines in 1980 carried 50.5 percent of passengers who came to the U.S. from a foreign country. This figure was 44 percent in 1970. Similar growth occurred involving passenger departures: 51.3 percent of passengers departing the U.S. were carried on a foreign flag carrier in 1980 compared to 45.6 percent in 1970.

The apparent growth of foreign flag operations in the U.S. was matched by a corresponding increase in the National Mediation Board's activities regarding this segment of the airline industry. Reference to Table 2 confirms that over half of all representation disputes involving foreign flag carriers were resolved in the years since FY 1972. The largest number of such cases was resolved in the latest sub-period under examination, the FY 1978 - FY 1980 period when 49 representation disputes were settled by the Board.

Since FY 1948 when the first representation dispute involving a foreign flag carrier was handled by the NMB, nearly 17 percent of all airline representation cases resolved by the Board have

involved the U.S.-based employees of a foreign flag air carrier. Between FY 1978 and FY 1980, almost 24 percent of the airline industry representation caseload involved the employees of foreign flags.

The first two cases involving the employees of a foreign flag air carrier were docketed by the Board within a week of each other in 1947. It was during this period that most of the foreign air carrier permits authorizing service to U.S. cities were issued. (Note Section 402 of the Federal Aviation Act of 1958, as amended.) The first case docketed involved a dispute among the clerical, office, stores, fleet and passenger service employees of TACA Airways Agency, Inc., a subsidiary of TACA Airways, S.A. The employees in this case did not have the opportunity to cast a ballot for or against unionization as the application was withdrawn during the course of the Board's investigation. The first certification was issued in the second case docketed, a case involving mechanics employed by British Overseas Airways Corporation. Mechanics at Air France voted for union representation within a year of the BOAC certification.

Union victories in representation elections occurred frequently during the initial stages of organizing this part of the airline industry. As Table 3 shows, unions were certified to represent employees in 72 percent of the crafts or classes covered by docketed applications during the FY 1948 - FY 1968 timeframe. In the majority of years during this period, unions experienced no defeats in their organizing efforts. The average size of a certified craft or class was small, however, averaging 22 employees. Union victories were more rare in the FY 1969 - FY 1980 period, and for the years FY 1978 - FY 1980 unions were successful in 17 out of 52 craft or class determinations, or a rate of 33 percent of docketed applications. Virtually all these cases entailed a labor organization attempting to organize previously unrepresented employees.

Table 4 provides data on the number of determinations, certifications, and dismissals on a craft or class basis (FY 1948 - FY 1980). Seventy-eight of the 247 craft or class determinations, 32 percent, involved

<sup>1</sup>This is the second 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 general interest to the railroad and airline industries.





*BUSY SCENE—Foreign flag air carriers from more than 50 countries regularly carry passengers to and from Kennedy International Airport.*

office clerical, fleet and passenger service employees. More than 2700 employees, an average of 72 employees per carrier, were covered by the 38 certifications issued by the Board for this craft or class. Forty-four craft or class determinations involved mechanics; 73 percent resulted in a certification, the second highest success ratio for the crafts or classes examined. Unions organizing radio and teletype operators won 77

percent of the time. Since the Board's jurisdiction does not extend beyond the U.S.-based employees of the foreign flag carriers, cases involving flight operating personnel have been infrequent, as such personnel are typically not based in this country. The Board has docketed only 6 applications covering the pilot craft or class on a foreign flag, although 4 of these did result in a certification.

The victor in a representation dispute has the right and obligation to represent for collective bargaining purposes all the employees in a craft or class. An employer may also voluntarily recognize a labor organization as the collective bargaining representative for certain of its employees. Table 5 provides information on employee representation on a number of foreign flag air carriers. The predominant union, in terms of both employees represented and number of crafts or classes where bargaining rights are held, is the International Association of Machinists and Aerospace Workers. The Board estimates that over 4000 U.S.-based employees of foreign flag carriers are represented by this single labor organization, out of a total of 7000 U.S.-based employees of foreign carriers currently represented by labor organizations.

**Table 2—Number of Representation Cases Resolved, All Airlines and Foreign Flag Carriers, Fiscal Years 1948-1980**

	Cases Resolved		
	All Air Carriers	Foreign Flag	
		Number	Percent
1948-1950	99	3	3.0
1951-1953	81	5	6.2
1954-1956	61	5	8.2
1957-1959	94	16	17.0
1960-1962	87	10	11.5
1963-1965	76	8	10.5
1966-1968	131	34	26.0
1969-1971	113	22	19.5
1972-1974	145	31	21.4
1975-1977	180	31	17.2
1978-1980	208	49	23.6
Total	1,275	214	16.8

**Table 1—Percent of Passengers Arriving In and Departing From the United States on U.S. Flag and Foreign Flag Carriers, Selected Years**

Year	Total Passengers Carried		Passengers Arriving In U.S.		Passengers Departing From U.S.	
	U.S. Flag	Foreign Flag	U.S. Flag	Foreign Flag	U.S. Flag	Foreign Flag
	1970	55.2%	44.8%	56.0%	44.0%	54.4%
1974	53.2	46.8	54.1	45.9	52.2	47.8
1980	49.1	50.9	49.5	50.5	48.7	51.3

Source: U.S. International Air Travel Statistics, selected years; data compiled by the U.S. Immigration and Naturalization Service.

**Table 3—Number of Representation Cases Resolved and Craft or Class Determinations, Foreign Flag Carriers, Fiscal Years 1948-1980**

	Craft or Class Determinations				
	Cases Resolved	Number	Certifications	Dismissals	Employees Involved
1951-1953	5	5	4	1	48
1954-1956	5	6	4	2	189
1957-1959	16	28	21	7	353
1960-1962	10	11	11	—	234
1963-1965	8	10	9	1	144
1966-1968	34	38	22	16	1,630
1969-1971	22	23	12	11	1,582
1972-1974	31	37	14	23	1,379
1975-1977	31	34	17	17	1,442
1978-1980	49	52	17	35	2,727
Total	214	247	133	114	9,828

**Table 4—Disposition of Determinations for Selected Crafts or Classes, Foreign Flag Carriers, Aggregate Data, FY 1948-1980**

Craft or Class	Certifications			Dismissals				
	Total Number of Determinations	Number	Employees Involved	Total	No Party Certified In Election	Appl. Withdrawn	Lack of Showing of Int.	Other
Mechanics	44	32	736	12	6	5	1	—
O,C,F & P S	78	38	2,735	40	26	10	4	—
Office Clerical	10	2	104	8	3	1	4	—
Fleet & Pass Serv.	9	3	762	6	4	1	—	1
Radio & Tele. Oper.	22	17	154	5	1	2	1	1
Dispatchers	17	11	76	6	2	3	—	1



**Table 5—Employee Representation on Foreign Flag Carriers as of September 30, 1980**

Craft or Class	Aerovias Nacionales											ALM Antillean
	Aer Lingus	Aerocondor	Aerolineas Argentinas	Aeromexico	Aeroperu	De Colombia	Avianca	Air Canada	Air India	Air Panama	Alitalia	
Flt. Disp. . . . .	—	—	TWU	—	IAM*	—	IBT	—	—	—	—	—
Radio & Tele. . .	—	—	—	—	—	—	—	—	CWA	—	—	—
Mechanics . . . .	—	IAM	TWU	IBT	IAM	—	—	—	—	—	—	—
O,C,F&PS . . . .	IAM <sup>1</sup>	IAM <sup>1</sup>	TWU	IAM	IAM	IBT	IBT <sup>1</sup>	IBT <sup>1</sup>	IBT	IAM	IAM	IAM
Stock & Stores	—	IAM	—	—	—	IBT*	IBT	—	—	—	IAM	—
Sales Reps	—	—	—	IAM	IAM	—	IBT	—	—	—	—	—

Craft or Class	Aerovias Nacionales											
	Aviateca	Bahamasair Holdings, Ltd.	British Airways	British West Indian Airways	Canadian Pacific	Compania Dominicana De Aviacion	Ecuatoriana De Aviacion	El Al Israel	Iberia	Icelandic	—	—
Flt. Disp. . . . .	—	—	—	—	—	—	—	IAM*	IAM*	IAM	—	—
Radio & Tele. . .	—	—	IAM	—	—	—	—	—	IAM	—	—	—
Mechanics . . . .	—	IAM	IAM	IAM*	BRAC	—	—	IAM	—	IBT	—	—
O,C,F&PS . . . .	IAM	IAM	IAM <sup>1</sup>	IAM	—	IBT	IAM	IAM <sup>3</sup>	IAM	IBT**	—	—
Stock & Stores	—	IAM*	IAM	IAM*	—	—	—	IAM	—	—	—	—
Sales Reps	—	—	—	—	—	—	IAM*	—	—	—	—	—

Craft or Class	Aerovias Nacionales											
	Japan Air Lines	KLM Royal Dutch	LACSA	Lan Chile	Lanica	LIAT	Lloyd Aereo Boliviano	Lufthansa	Mexicana De Aviacion	Olympic	Pakistan Int'l	Philippine Airlines
Flt. Disp. . . . .	—	—	—	—	—	—	—	—	—	—	—	—
Radio & Tele. . .	JALCA	—	—	IAM*	—	—	—	IAM	IAM	IAM	—	—
Mechanics . . . .	IAM	TWU	—	—	IAM	—	—	IAM	—	—	—	—
O,C,F&PS . . . .	IAM <sup>4</sup>	TWU <sup>1*</sup>	IBT	IAM	IAM	IAM	IBT	—	IAM	—	IBT**	IAM
Stock & Stores	IAM*	TWU*	—	—	—	—	—	IAM*	—	—	IBT	—

Craft or Class	Aerovias Nacionales											
	Quantas	Sabena Belgian	Scandinavian Airlines	Swissair	TACA	Tan	TAP	Trans Mediterranean	Varig	VIASA	—	—
Flt. Disp. . . . .	—	—	PADA*	—	—	—	—	—	IAM*	—	—	—
Radio & Tele. . .	IAM	TWU	—	—	—	—	—	—	—	—	—	—
Mechanics . . . .	IAM	—	—	IAM	IAM	—	—	—	IAM	—	—	—
O,C,F&PS . . . .	IAM	TWU <sup>1*</sup>	IBT <sup>1*</sup>	IAM <sup>2*</sup>	IAM	IAM <sup>3</sup>	IBT	IBT	IAM*	IAM	—	—
Stock & Stores	IAM	—	—	IAM*	IAM*	—	—	—	IAM*	—	—	—

\*—Denotes voluntary recognition covering certain occupational functions which may not constitute a craft or class in an ultimate determination by the Board.

- <sup>1</sup> Fleet and Passenger Service Employees only.
- <sup>2</sup> Cargo Agents only.
- <sup>3</sup> Fleet and Passenger Service Employees; Office Clerical Employees.
- <sup>4</sup> Fleet Service Employees only.
- <sup>5</sup> Customer Service Employees; Office Clerical Employees.

Union Abbreviations:

- CWA Communications Workers of America
- JALCA Japan Airlines Communications Employees Association
- IAM Int'l Association of Machinists & Aerospace Workers
- IBT Int'l Brotherhood of Teamsters
- PADA Professional Airline Dispatchers Association
- TWU Transport Workers Union of America

Craft or Class Abbreviations:

- Flt. Disp. Flight Dispatchers
- Radio & Tele. Radio & Teletype Operators
- O,C,F & PS Office, Clerical, Fleet & Passenger Service Employees
- Sales Reps. Sales Representatives





## Appendix A

### National Railroad Adjustment Board (Created June 21, 1934)

Hampton, D. A., *Chairman*  
 Euker, W. F., *Vice Chairman*  
 Carvatta, R. J., *Administrative officer*  
 Paulos, A. W., *Executive Secretary*

Accounting for all moneys appropriated by Congress for the fiscal year 1980, 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 1980

Board's portions of Salaries and Expenses, National Mediation Board	\$941,000.00
Transferred from NMB	25,000.00
<b>Total</b>	<b>\$966,000.00</b>
<b>Expenditures:</b>	
Salaries of employees	356,228.00
Salaries of referees	268,073.00
Personnel benefits	33,266.00
Travel expenses (including referees)	40,775.00
Other Rent	14,129.00
Communication services	33,338.00
Standard level user charges	134,760.00
Printing and reproduction	11,108.00
Other contractual services	3,442.00
Supplies and materials	12,487.00
Equipment	58,394.00
<b>Total expenditures</b>	<b>\$966,000.00</b>
Unexpended balance	-0-

### NRAB Government Employees, Salaries and Duties

Name	Title	Salary Paid	Duties
<b>Administration</b>			
Carvatta, Roy J.	Administrative Officer	\$47,030.00	Subject to direction of National Mediation Board. Administers N.R.A.B. Governmental affairs
Swanson, Ronald A.	Asst. Adm. Officer	23,278.32	Accounting and Auditing
Szewczyk, Bernice E.	Clerical Assistant	15,553.68	Assists in accounting and auditing
Bradley, Rochelle E.	Clerk-Typist	10,183.84	Clerical and Typing
Lauritis, John J.	Clerk	13,146.48	Clerical
<b>Divisional</b>			
Paulos, Angelo W.	Executive Secretary	22,787.12	Executive Secretary for all four divisions-fully responsible for Third Division
Dever, Nancy J.	Assistant Executive Secretary	20,135.68	Assists Executive Secretary-responsible for First and Fourth Divisions
Brasch, Rosemarie	Administrative Asst.	17,960.55	Assists Executive Secretary-responsible for Second Division
Czerwonka, Veronica	Administrative Asst.	15,553.68	Assists Executive Secretary on Third Division
Jaeger, Rosemary E.	Clerk-Typist	14,215.37	Clerical for Second Division
Shroka, Hazel R.	Clerk-Typist	13,338.75	Clerical for Third Division



## NRAB Government Employees, Salaries and Duties—Continued

Name	Title	Salary Paid	Duties
<b>Secretarial</b>			
Elwood, Addie V.	Secretary	13,634.31	Secretarial, stenographic and clerical
Glassman, Sarah	"	15,517.90	"
Hudson, Lucile B.	"	14,716.48	"
Javoric, Mary A.	"	15,215.54	"
Krozel, Helen B.	"	12,965.25	"
LaChance, Kathleen V.	"	15,461.66	"
Loughrin, Catherine A.	"	14,716.48	"
McAuliffe, Maureen T.	"	7,065.46	"
Stanger, Dianne M.	"	14,716.48	"
Sullivan, Josephina A.	"	4,312.08	"
Vorphal, Joan A.	"	14,716.48	"

## Neutral Referees' Services for All Divisions of NRAB

Name	Salary Paid	Duties
<b>Referees</b>		
<b>First Division</b>		
O'Brien, Robert M.	\$8,400.00	Sat with division as a member to make awards upon failure of division to agree or secure majority vote
Twomey, David P.	1,225.00	"
Zumas, Nicholas H.	4,768.75	"
<b>Referees</b>		
<b>Second Division</b>		
Brown, David H.	1,093.75	"
Dennis, Rodney E.	8,225.00	"
Eischen, Dana E.	3,150.00	"
Fitzgerald, Robert E., Jr.	4,406.82	"
Franden, Robert A.	2,275.00	"
Kasher, Richard R.	2,275.00	"
Larney, George E.	8,575.00	"
LaRocco, John B.	5,206.25	"
Lyden, MacDara F.	3,456.25	"
McMurray, Kay	6,125.00	"
Marx, Herbert L., Jr.	7,962.50	"
Mikrut, John J., Jr.	7,393.75	"
Roberts, Higdon C., Jr.	5,775.00	"
Roukis, George S.	6,125.00	"
Scarce, James F.	2,362.50	"
Weiss, Abraham	6,081.25	"
Wildman, Wesley A.	4,637.50	"
<b>Referees</b>		
<b>Third Division</b>		
Carter, Paul C.	\$20,387.50	Sat with division as member to make awards upon failure of division to agree or secure majority vote
Dennis, Rodney E.	13,300.00	"
Edgett, William M.	918.75	"
Eischen, Dana E.	4,900.00	"

## Neutral Referees' Service For All Divisions of NRAB—Continued

Name	Salary Paid	Duties
Franden, Robert A.	4,287.50	"
Kasher, Richard R.	5,862.50	"
Larney, George E.	6,737.50	"
Lowry, A. Robert	3,237.50	"
McMurray, Kay	3,675.00	"
Mangan, John J.	6,562.50	"
Roukis, George S.	10,325.00	"
Scearce, James F.	6,737.50	"
Scheinman, Martin F.	19,075.00	"
Sickles, Joseph A.	9,100.00	"
Valtin, Rolf	6,212.50	"
Weiss, Abraham	612.50	"
Yagoda, Louis	525.00	"
<b>Referees</b>		
<b>Fourth Division</b>		
Carter, Paul C.	8,575.00	"
Dennis, Rodney E.	1,400.00	"
Franden, Robert E.	4,987.50	"
Kasher, Richard R.	962.50	"
McMurray, Kay	1,925.00	"
O'Brien, Theodore H.	175.00	"
Sickles, Joseph A.	4,462.50	"
Van Wart, Arthur T.	175.00	"

### First Division—National Railroad Adjustment Board

220 South State Street, Chicago, Illinois 60604

### OPERATIONS

The following tables set out results of operations of the Division during fiscal year 1979-1980.

#### ORGANIZATION OF THE DIVISION, FISCAL YEAR 1979-1980

R. E. Delaney, <i>Chairman</i>	H. G. Kenyon <sup>4</sup>
W. F. Euker, <i>Vice Chairman</i>	J. R. Lange
G. J. Cahill <sup>1</sup>	J. R. O'Connell <sup>5</sup>
A. D. Dula <sup>2</sup>	F. P. Riordan
M. J. Fitzpatrick <sup>3</sup>	M. D. Quin <sup>6</sup>
A. W. Paulos, <i>Executive Secretary</i>	

<sup>1</sup> Replaced Mr. Kenyon.

<sup>2</sup> Reassigned.

<sup>3</sup> Reassigned.

<sup>4</sup> Reassigned.

<sup>5</sup> Replaced Mr. Fitzpatrick.

<sup>6</sup> Replaced Mr. Dula.

#### JURISDICTION

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

**Table 1—Cases Docketed Fiscal Year 1979-1980; Classified According to Carrier Party to Submission**

NAME OF CARRIER	NUMBER OF CASES DOCKETED
Burlington Northern	18
Chicago and Northwestern	4
Chicago, Milwaukee, St. Paul and Pacific	3
Consolidated Rail	2
Grand Trunk Western	3
Louisiana Midland	1
Norfolk and Western	8
Peoria and Pekin Union	1
St. Louis-Southwestern	1
Seaboard Coast Line	18
Staten Island Rapid Transit	1
Union Pacific	1
Total	61

**Table 2—Cases Docketed Fiscal Year 1979-1980; Classified According to Organization Party to Submission**

NAME OF ORGANIZATION	NUMBER OF CASES DOCKETED
Brotherhood of Locomotive Engineers	53
Individual	6
United Transportation Union	2
Total	61

**Second Division—National Railroad Adjustment Board**

220 South State Street, Chicago, Illinois 60604

**MEMBERSHIP**

D. A. Hampton, <i>Chairman</i>	B. J. East <sup>4</sup>
J. C. Clementi <sup>1</sup>	M. F. Fitzpatrick <sup>5</sup>
M. J. Cullen	P. E. LaCrosse
J. A. McAteer <sup>2</sup>	V. W. Merritt <sup>6</sup>
R. A. Westbrook <sup>3</sup>	W. F. Snell
A. W. Paulos, <i>Executive Secretary</i>	

<sup>1</sup> Replaced C. E. Wheeler October 1, 1979.

<sup>2</sup> Replaced J. G. Hayes January 1, 1980.

<sup>3</sup> Replaced G. R. DeHague February 1, 1980.

<sup>4</sup> Replaced C. Herrington September 2, 1980.

<sup>5</sup> Replaced B. K. Tucker May 1, 1980.

<sup>6</sup> Replaced R. C. Kniewel May 1, 1980.

**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.

**Carriers Party to Cases Docketed**

Akron, Canton & Youngstown RR Co.	1
Atchison, Topeka & Santa Fe Ry. Co.	3
Auto-Train Corp.	1
Baltimore & Ohio Railroad Co.	15
Baltimore & Ohio Chicago Terminal RR Co.	1
Belt Ry. Co. of Chicago	5
Boston & Maine Corp.	2
Burlington Northern, Inc.	49
Chesapeake & Ohio Ry. Co.	15
Chicago & North Western Transportation Co.	27
Chicago, Milwaukee, St. Paul & Pacific RR Co.	7
Chicago, Rock Island & Pacific RR Co.	5
Chicago South Shore & South Bend RR	1
Clinchfield RR Co.	2
Consolidated Rail Corporation	48
Delaware & Hudson Ry. Co.	1
Delray Connecting RR Co.	2
Denver & Rio Grande Western RR Co.	5
Detroit & Mackinac Ry. Co.	1

Detroit & Toledo Shore Line RR Co.	1
Elgin, Joliet & Eastern Ry. Co.	4
Grand Trunk Western Ry. Co.	2
Houston Belt & Terminal Ry. Co.	1
Illinois Central Gulf RR Co.	27
Indiana Harbor Belt RR Co.	1
Kansas City Southern Ry. Co.	1
Lake Terminal RR Co.	2
Louisville & Nashville RR Co.	9
Missouri-Kansas-Texas RR Co.	2
Missouri Pacific RR Co.	61
Monongahela Connecting Ry. Co.	1
National Railroad Passenger Corp.	23
Norfolk & Western Ry. Co.	8
Portland Terminal RR Co.	1
Richmond, Fredericksburg & Potomac Ry. Co.	2
St. Louis-San Francisco Ry. Co.	16
St. Louis Southwestern Ry. Co.	9
Seaboard Coast Line RR Co.	12
Soo Line RR Co.	7
Southern Pacific Transportation Co.	45
Southern Railway Co.	7
Staten Island Rapid Transit Operating Authority	2
Terminal RR Association of St. Louis	5
Texas & Pacific Ry. Co.	2
Union Pacific RR Co.	5
Washington Terminal Co.	12
Western Fruit Express Co.	3
Western Maryland Ry. Co.	1
Western Pacific RR Co.	6
Total	469

**Organizations, Etc., Party to Cases Docketed**

Brotherhood Railway Carmen of the United States and Canada	164
International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers	11
International Brotherhood of Electrical Workers	127
International Association of Machinists	64
International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers	78
Sheet Metal Workers' International Association	16
United Steel Workers of America	2
Oil, Chemical and Atomic Workers International Union	2
Individually Submitted Cases, Etc.	5
Total	469

**Third Division—National Railroad Adjustment Board**

220 South State Street, Chicago, Illinois 60604

H. G. Harper, <i>Chairman</i>	J. S. Godfrey
J. E. Mason, <i>Vice Chairman</i>	J. W. Gohmann
W. W. Altus, Jr.	M. D. McCarthy <sup>1</sup>
J. D. Crawford	R. W. Smith
J. P. Erickson	T. F. Strunck <sup>2</sup>
J. C. Fletcher	P. V. Varga

A. W. Paulos, *Executive Secretary*

<sup>1</sup> M. D. McCarthy replaced J. W. Gohmann on 9-2-80

<sup>2</sup> T. F. Strunck replaced M. D. McCarthy on 9-19-80



## 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

Atchison, Topeka & Santa Fe Ry. Co.	9
Baltimore and Ohio RR Co.	8
Belt Railway Company of Chicago	12
Bessemer and Lake Erie RR Co.	4
Board of Trustees of the Galveston Wharves	1
Burlington Northern, Inc.	4
Central of Georgia RR Co.	5
Chesapeake and Ohio Ry. Co.	25
Chicago & North Western Transportation Co.	9
Chicago, Milwaukee, St. Paul & Pacific RR Co.	41
Chicago Short Line Ry. Co.	1
Cincinnati, New Orleans & Texas Pacific Ry. Co.	3
Consolidated Rail Corporation	23
Denver & Rio Grande Western RR Co.	11
Des Moines Union Ry. Co.	1
Detroit, Toledo & Ironton RR Co.	3
Duluth, Missabe & Iron Range Ry. Co.	2
Elgin, Joliet & Eastern Ry. Co.	5
Fort Worth & Denver Ry. Co.	4
Georgia Northern Ry. Co.	1
Houston Belt & Terminal Ry. Co.	1
Illinois Central Gulf RR	24
Illinois Terminal RR Co.	1
Indiana Harbor Belt RR Co.	2
Joint Texas Division of CRI&P-FW&D	1
Kansas City Southern Ry. Co.	3
Kansas City Terminal Ry. Co.	1
Kentucky & Indiana Terminal Ry. Co.	4
Lake Terminal RR Co.	4
Lamoille Valley RR Co.	1
Louisiana & Arkansas Ry. Co.	1
Louisville & Nashville RR Co.	6
Maine Central RR Co.-Portland Terminal Co.	2
Milwaukee-Kansas City Southern Joint Agency	1
Mississippi Export RR Co.	2
Missouri-Kansas-Texas RR Co.	6
Missouri Pacific RR Co.	19
Monongahela Ry. Co.	2
National Railroad Passenger Corporation	5
New Orleans Public Belt RR	3
New Orleans Terminal Company	1
Norfolk and Western Railway Co.	13
Norfolk, Franklin & Danville Ry. Co.	1
Norfolk Southern Ry. Co.	1
Pacific Fruit Express Co.	1
Pittsburgh & Lake Erie Railroad Co.	1
Port Authority Trans-Hudson Corporation	1
Port Terminal Railroad Association	2
River Terminal Ry. Co.	1

St. Louis-San Francisco Ry. Co.	39
St. Louis Southwestern Ry. Co.	5
Sand Springs Ry. Co.	2
Seaboard Coast Line RR Co.	33
Soo Line RR Co.	3
Southern Pacific (Pacific Lines)	12
Southern Pacific (Texas & Louisiana)	5
Southern Railway Company	23
Staten Island Rapid Transit Operating Authority	1
Terminal Railroad Association of St. Louis	12
Union Pacific RR Co.	3
Washington Terminal Co.	3
Western Pacific Railroad Co.	5
Western Weighing & Inspection Bureau	1
Total	430

### Organizations Party to Cases Docketed

American Train Dispatchers Association	11
Brotherhood of Maintenance of Way Employees	155
Brotherhood of Railroad Signalmen	57
Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees	172
Total	395
Miscellaneous Class of Employees	35
Total	430

### Fourth Division—National Railroad Adjustment Board

220 South State Street, Chicago, Illinois 60604

D. E. Watkins, <i>Chairman</i>	D. M. Lefkow <sup>6</sup>
B. K. Tucker, <i>Vice Chairman</i>	F. Ferlin <sup>4</sup>
P. V. Varga <sup>1</sup> , <i>Vice Chairman</i>	E. H. Nadolny <sup>5</sup>
H. E. Crow <sup>2</sup>	R. F. O'Leary
W. M. Cunningham <sup>3</sup>	D. E. Watkins

A. W. Paulos, *Executive Secretary*

<sup>1</sup> Replaced Mr. Tucker as Vice Chairman.

<sup>2</sup> B. K. Tucker, P. V. Varga, substitute for Mr. Crow.

<sup>3</sup> W. F. Euker, substitute for Mr. Cunningham.

<sup>4</sup> Resigned, July, 1980

<sup>5</sup> Replaced Mr. Ferlin, July, 1980.

<sup>6</sup> Replaced Mr. Vernon.

## 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**

Ann Arbor	1
Atchison, Topeka and Santa Fe	3
Atlanta and West Point	1
Baltimore and Ohio	4
Boston and Maine	1
Bourbon Stock Yards	1
Chesapeake and Ohio	11
Chicago and North Western	2
Chicago, Milwaukee, St. Paul and Pacific	1
Chicago, Rock Island and Pacific	1
City of Prineville	1
Consolidated Rail	21
Grand Trunk Western	3
Houston Belt and Terminal	1

Indiana Harbor Belt	2
Louisiana Midland	1
Louisville and Nashville	8
Long Island	2
Missouri Pacific	2
Missouri Pacific-Houston Belt and Terminal	1
National and Railroad Passenger Corporation	6
Norfolk and Western	4
Pittsburgh and Lake Erie	1
Port Terminal Association	2
San Antonio Stock Yards	1
Seaboard Coast Line	1
Southern	14
Southern Pacific-Pacific Lines	1
Southern Pacific-Texas and Louisiana	1
Union Pacific	4
Washington Terminal	2
Total	105

**Organizations—Employees Party to Cases Docketed**

American Railway Supervisors Association	41
BRAC (RP&SOS)	7
Individuals	8
Railroad Yardmasters of America	46
Seafarers' International Union	1
United Food and Commercial Workers	2
Total	105



# Appendix B

## 1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1980

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Richard R. Kasher 3	Bryn Mawr, PA	September 22, 1980	452	St. Louis Southwestern Rwy. Co. and Brotherhood of Locomotive Engineers
Gene T. Ritter 2	Ardmore, OK	December 6, 1979	2049	Fort Worth and Denver Rwy. Co. and United Transportation Union
Leverett Edwards 3	Fort Worth, TX	May 7, 1980	2089	The Chesapeake and Ohio Rwy. Co. and United Transportation Union
Kay McMurray 3	Bethesda, MD	February 7, 1980	2122	Illinois Central Gulf RR Co. and United Transportation Union (T)
James F. Scarce 2	McLean, VA	February 11, 1980	2167	Aliquippa and Southern RR. Co. and The Railroad Division of the Transport Workers Union of America (AFL-CIO)
Irwin M. Lieberman 3	Stamford, CT	December 21, 1979	2189	Grand Trunk Western RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes
David H. Brown 2	Sherman, TX	February 11, 1980	2190	Louisville and Nashville RR. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	July 7, 1980	2201	Chicago and Illinois Midland Rwy. Co. and UTU (E)
Ida Klaus 3	New York, NY	June 30, 1980	2213	The Long Island Rail Road and United Transportation Union
Eugene Mittelman 3	Washington, DC	August 4, 1980	2227	The Detroit and Toledo Shore Line RR. Co. and United Transportation Union
Robert J. Ables 2	Washington, DC	January 29, 1980	2250	Louisville and Nashville RR. Co. and United Transportation Union
Arnold Ordman 2	Bethesda, MD	January 21, 1980	2320	Missouri-Kansas-Texas RR. Co. and United Transportation Union (T-C)
A. Thomas Van Wart 2	Salem, NJ	October 22, 1979	2327	Monongahela Connecting RR. Co. and United Transportation Union
Richard R. Kasher 2	Bryn Mawr, PA	June 19, 1980	2329	Boston and Maine Corp. and United Transportation Union (T)
Arthur T. Van Wart 2	Wilmington, DE	January 21, 1980	2331	The Akron, Canton and Youngstown RR. Co. and United Transportation Union (T)
George E. Larney 3	Evanston, IL	April 7, 1980	2346	Chicago and North Western Transportation Co. and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	January 14, 1980	2348	St. Louis-San Francisco Rwy. Co. and Brotherhood of Railroad Signalmen
Jacob I. Karro 3	Washington, DC	January 21, 1980	2353	Consolidated Rail Corp. and United Transportation Union (S)
Joseph A. Sickles 1	Bethesda, MD	January 30, 1980	2386	Illinois Central Gulf RR. Co. and United Transportation Union
Frédéric R. Blackwell 2	Gaithersburg, MD	October 2, 1979	2404	Southeastern Michigan Transportation Authority and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes
Jacob Seidenberg 3	Falls Church, VA	October 17, 1979	2412	The Atchison, Topeka and Santa Fe Rwy. Co. and Brotherhood of Locomotive Engineers
C. Robert Roadley 2	Williamsburg, VA	March 28, 1980	2423	Aliquippa and Southern RR. Co. and United Transportation Union
William M. Edgett 2	Elicott City, MD	November 1, 1979	2425	Chicago and North Western Transportation Co. and United Transportation Union
Jack A. Warshaw 1	Bethesda, MD	October 18, 1979	2431	Chicago and North Western Transportation Co. and United Transportation Union (C-T)
Neil P. Speirs 2	Rohnert Park, CA	January 31, 1980	2432	The Akron, Canton and Youngstown RR. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	October 29, 1979	2438	Bangor and Aroostook RR. Co. and United Transportation Union
David P. Twomey 3	Chestnut Hill, MA	November 5, 1979	2447	Central Vermont Rwy. Inc. and Brotherhood of Locomotive Engineers
Jacob Seidenberg 2	Falls Church, VA	February 19, 1980	2448	Chicago, Milwaukee, St. Paul and Pacific RR. Co. and Brotherhood of Locomotive Engineers
Gene T. Ritter 2	Ardmore, OK	October 17, 1979	2449	Louisville and Nashville RR. Co. and UTU
Peter Henle 3	Arlington, VA	October 26, 1979	2450	Consolidated Rail Corp. and United Transportation Union
Jacob Seidenberg 2	Falls Church, VA	November 1, 1979	2457	The Cuyahoga Valley Rwy. Co. and United Transportation Union
Irwin M. Lieberman 2	Stamford, CT	October 9, 1979	2458	California Western RR. Co. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	January 29, 1980	2459	North Carolina State Ports Authority and International Longshoremen's Association, (AFL-CIO), Local 1426-A
James F. Scarce 3	McLean, VA	November 5, 1979	2459	North Carolina State Ports Authority and International Longshoremen's Association, (AFL-CIO), Local 1426-A
Preston J. Moore 2	Oklahoma City, OK	November 8, 1979	2462	The Denver and Rio Grande Western RR. Co. and American Train Dispatchers Association
David Dolnick 1	Chicago, IL	November 14, 1979	2464	Louisville and Nashville RR. Co. and Brotherhood of Railroad Signalmen
Arthur T. Van Wart 2	Wilmington, DE	July 9, 1980	2466	Chicago and North Western Transportation Co. and United Transportation Union
Herbert L. Marx, Jr. 2	New York, NY	February 5, 1980	2471	Duluth, Missabe and Iron Range Rwy. Co. and United Transportation Union
Richard R. Kasher 2	Bryn Mawr, PA	October 18, 1979	2472	Southern Pacific Transportation Co. and United Transportation Union (S)
Arthur T. Van Wart 2	Wilmington, DE	January 28, 1980	2475	Louisville and Nashville RR. Co. and United Transportation Union
David H. Brown 2	Sherman, TX	October 2, 1979	2476	Seaboard Coast Line RR. Co. and United Transportation Union (E)
Paul C. Carter 2	Wheaton, IL	January 16, 1980	2477	Southern Railway Company, The Cincinnati, New Orleans and Texas Pacific Rwy. Co., The Alabama Great Southern RR. Co., The New Orleans Terminal Co., Georgia Southern and Florida Rwy. Co. and Brotherhood of Railroad Signalmen
Harold M. Weston 2	New York, NY	October 9, 1979	2478	Burlington Northern Inc. and United Transportation Union
David H. Brown 2	Sherman, TX	October 9, 1979	2479	Joint Texas Division of the Chicago, Rock Island and Pacific RR. Co. and the Fort Worth and Denver Rwy. Co. and United Transportation Union
C. Robert Roadley 2	Williamsburg, VA	October 10, 1979	2480	River Terminal Rwy. Co. and United Transportation Union
Dana E. Eischen 1	Ithaca, NY	November 6, 1979	2481	Southern Railway Co., The Cincinnati, New Orleans and Texas Pacific Rwy. Co., The Alabama Great Southern RR. Co., The New Orleans Terminal Co., Georgia Southern and Florida Rwy. Co., St. Johns River Terminal Co., Norfolk Southern Rwy. Co., Atlantic and East Carolina Rwy. Co., Live Oak, Perry and South Georgia Rwy. Co., Tennessee, Alabama and Georgia Rwy. Co., and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes

See footnotes at end of table



1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1980—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
David H. Brown 2	Sherman, TX	October 15, 1979	2482	The Atchison, Topeka and Santa Fe Rwy. Co. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	October 15, 1979	2483	The Atchison, Topeka and Santa Fe Rwy. Co. and United Transportation Union
Irwin M. Lieberman 2	Stamford, CT	October 22, 1979	2484	Port Terminal RR. Assoc. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Nicholas H. Zumas 2	Washington, DC	December 6, 1979	2485	Louisville and Nashville RR. Co. and Brotherhood of Locomotive Engineers
Dana E. Eischen 2	Ithaca, NY	October 22, 1979	2486	The Baltimore and Ohio RR. Co. and Railroad Yardmasters of America
Irving T. Bergman 2	Mineola, NY	October 17, 1979	2487	The Atchison, Topeka and Santa Fe Rwy. Co. and United Transportation Union (E)
A. Thomas Van Wart 2	Salem, NJ	October 22, 1979	2488	The Chesapeake and Ohio Rwy. Co. and United Transportation Union
James P. Gleason 2	Silver Spring, MD	November 14, 1979	2489	Norfolk and Western Rwy. Co. (Lines formerly operated by the Wabash RR. Co. and identified as Lines West of Detroit and United Transportation Union (C-T-E))
Peter Henle 2	Arlington, VA	March 31, 1980	2490	Detroit, Toledo and Ironton RR. Co. and United Transportation Union
John B. Criswell 2	Stigler, OK	December 19, 1979	2491	Detroit and Toledo Shore Line RR. Co. and United Transportation Union
Neil P. Speirs 2	Rohnert Park, CA	December 17, 1979	2492	Detroit and Toledo Shore Line RR. Co. and United Transportation Union (T-C)
Arnold Ordman 2	Bethesda, MD	December 19, 1979	2493	Detroit and Toledo Shore Line RR. Co. and United Transportation Union (T-C)
Joseph A. Sickles 2	Bethesda, MD	October 29, 1979	2494	Norfolk, Franklin and Danville Rwy. Co. and Brotherhood of Locomotive Engineers
Frederick R. Blackwell <sup>1</sup>	Gaithersburg, MD	January 29, 1980	2495	Detroit and Toledo Shore Line RR. Co. and United Transportation Union (C-T)
David H. Brown 2	Sherman, TX	November 5, 1979	2496	Atlanta Joint Terminals and United Transportation Union
Leverett Edwards 2	Fort Worth, TX	September 29, 1980	2497	Cambria and Indiana RR. Co., Patasco and Back Rivers RR. Co., Philadelphia, Bethlehem and New England RR. Co., South Buffalo Rwy. Co., Steelton and Highspire RR. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	January 16, 1980	2498	Elgin, Joliet and Eastern Rwy. Co. and United Transportation Union (T)
George S. Roukis 2	Manhasset Hills, NY	November 9, 1979	2501	Kansas City Terminal Rwy. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
John B. Criswell 2	Stigler, OK	January 21, 1980	2502	The Denver and Rio Grande Western RR. Co. and United Transportation Union (E)
Francis X. Quinn 2	Longport, NJ	November 15, 1979	2503	Consolidated Rail Corp. and United Transportation Union
Arnold Ordman 1	Bethesda, MD	November 14, 1979	2504	Pennsylvania Truck Lines Inc. and International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, Title V
Irwin M. Lieberman 2	Stamford, CT	November 20, 1979	2505	The Atchison, Topeka and Santa Fe Rwy. Co. and International Brotherhood of Electrical Workers
Arthur T. Van Wart 2	Wilmington, DE	November 20, 1979	2506	Seaboard Coast Line RR. Co. and United Transportation Union (E)
Preston J. Moore 2	Oklahoma City, OK	November 20, 1979	2507	The Atchison, Topeka and Santa Fe Rwy. Co. and Brotherhood of Railroad Signalmen
David H. Brown 2	Sherman, TX	November 15, 1979	2508	New Orleans Public Belt RR. and United Transportation Union
Joseph A. Sickles 2	Bethesda, MD	March 18, 1980	2510	Consolidated Rail Corp. and United Transportation Union
Leverett Edwards 1	Fort Worth, TX	December 5, 1979	2511	The Kansas City Southern-Indiana and Arkansas Rwy. Co. United Transportation Union (T)
Herbert L. Marx, Jr. 2	New York, NY	December 31, 1979	2512	Chicago and North Western Transportation Co. and Brotherhood Railway Carmen of the United States and Canada
Irwin M. Lieberman 2	Stamford, CT	December 6, 1979	2513	Bangor and Aroostock RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
P.C. Carter 2	Wheaton, IL	December 6, 1979	2514	Chicago and North Western Transportation Co. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Arthur T. Van Wart 2	Wilmington, DE	December 3, 1979	2515	Consolidated Rail Corp. and United Transportation Union
Preston J. Moore 2	Oklahoma City, OK	December 3, 1979	2516	The Atchison, Topeka and Santa Fe Rwy. Co. and Brotherhood Railway Carmen of the United States and Canada
Arthur T. Van Wart 2	Wilmington, DE	December 3, 1979	2517	Butte, Anaconda and Pacific Rwy. Co. and United Transportation Union (E)
Irving T. Bergman 3	Mineola, NY	April 21, 1980	2517	Butte, Anaconda and Pacific Rwy. Co. and United Transportation Union (E)
David P. Twomey 2	Chestnut Hill, MA	December 17, 1979	2518	The Long Island Rail Road and American Railway Supervisors Association Lodge 857
Paul C. Carter 2	Wheaton, IL	January 10, 1980	2519	Chicago and North Western Transportation Co. and Brotherhood of Railroad Signalmen
Peter Henle 2	Arlington, VA	February 28, 1980	2520	Consolidated Rail Corp. and United Transportation Union (E)
Kay McMurray 2	Bethesda, MD	January 18, 1980	2521	Port Terminal RR. Assoc. and United Transportation Union (E)
Arthur T. Van Wart 2	Wilmington, DE	January 14, 1980	2522	The Atchison, Topeka and Santa Fe Rwy. Co. (Coast Lines) and United Transportation Union (C-T-Y)
Joseph A. Sickles 2	Bethesda, MD	January 24, 1980	2523	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
A. Thomas Van Wart 2	Salem, NJ	January 21, 1980	2524	The Atchison, Topeka and Santa Fe Rwy. Co., Eastern and Western Lines (Excluding Northern and Southern Divisions) and United Transportation Union (C-T-Y)
Kay McMurray 2	Bethesda, MD	February 21, 1980	2525	Detroit and Toledo Shore Line RR. Co. and United Transportation Union
Jacob Seidenberg 2	Falls Church, VA	December 31, 1979	2526	Portland Terminal RR. Co. and Brotherhood of Locomotive Engineers
Arthur W. Sempliner 2	Grosse Pointe Farms, MI	January 8, 1980	2527	Richmond, Fredericksburg and Potomac RR. Co. and United Transportation Union (C)
Irwin M. Lieberman 2	Stamford, CT	January 14, 1980	2528	Southern Pacific Transportation Co. (Pacific Lines) and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Dana E. Eischen 2	Ithaca, NY	January 15, 1980	2529	Fort Worth and Denver Rwy. Co. and Brotherhood of Maintenance of Way Employees
A. Thomas Van Wart 2	Salem, NJ	January 14, 1980	2530	The Atchison, Topeka and Santa Fe Rwy. Co., Western Lines, Northern and Southern Divisions and United Transportation Union
Irving T. Bergman 2	Mineola, NY	January 15, 1980	2531	Soo Line Railroad Co. and United Transportation Union (T-C)
Kay McMurray 2	Bethesda, MD	January 15, 1980	2532	Richmond, Fredericksburg and Potomac RR. Co. and International Brotherhood of Firemen and Oilers
Harold M. Weston 2	New York, NY	June 2, 1980	2533	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and Brotherhood of Locomotive Engineers
Leverett Edwards 2	Fort Worth, TX	January 21, 1980	2534	San Manuel Arizona RR. Co. and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	January 21, 1980	2535	Joint Texas Division of Chicago, Rock Island and Pacific RR. Co., Fort Worth and Denver Rwy. Co., and Brotherhood of Maintenance of Way Employees

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1980—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Robert A. Franden 2	Tulsa, OK	January 21, 1980	2536	Terminal Railroad Association of St. Louis and Brotherhood Railway Carmen of the United States and Canada, System Federation #25, Railway Employees' Department, (AFL-CIO)
Irwin M. Lieberman 2	Stamford, CT	January 21, 1980	2537	The Atchison, Topeka and Santa Fe Rwy. Co., Eastern and Western Lines (excluding Northern and Southern Divisions) and United Transportation Union (C-T-Y)
Robert J. Ables 2 <sup>2</sup>	Washington, DC	January 21, 1980	2538	Chicago Produce Terminal Co. and Railroad Yardmasters of America
A. Thomas Van Wart 2	Salem, NJ	January 21, 1980	2539	Norfolk and Western Rwy. Co. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	January 21, 1980	2540	The Lake Terminal RR. Co. and United Transportation Union
David H. Brown 2	Sherman, TX	January 29, 1980	2541	Clinchfield RR. Co. and Brotherhood of Railroad Signalmen
Irwin M. Lieberman 2	Stamford, CT	August 25, 1980	2542	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Donald Dolnick 2	Chicago, IL	January 28, 1980	2543	Consolidated Rail Corp. and Brotherhood of Railroad Signalmen
Jack A. Warshaw 2	Bethesda, MD	February 27, 1980	2544	Consolidated Rail Corp. and United Transportation Union (E)
Joseph A. Sickles 2	Bethesda, MD	March 31, 1980	2546	Consolidated Rail Corp. and International Association of Machinists and Aerospace Workers
Harold M. Weston 2	New York, NY	April 21, 1980	2547	Missouri-Kansas-Texas RR. Co. and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	March 24, 1980	2548	Union Pacific RR. Co. (Territory Salt Lake City-Los Angeles) and Brotherhood of Locomotive Engineers
William E. Fredenberger, Jr. 2	Stafford, VA	April 7, 1980	2549	Detroit, Toledo and Ironton RR. Co. and United Transportation Union
Robert A. Franden 2	Tulsa, OK	January 25, 1980	2550	Union Pacific RR. Co. (Motive Power and Machinery Department) and Brotherhood Railway Carmen of United States and Canada, System Federation No. 105, Railway Employees' Department (AFL-CIO)
Robert A. Franden 2	Tulsa, OK	January 21, 1980	2551	Terminal Railroad Assoc. of St. Louis and United Transportation Union (E)
Leverett Edwards 2	Fort Worth, TX	January 29, 1980	2552	Missouri-Kansas-Texas RR. Co. and United Transportation Union (T-C)
Richard R. Kasher 2	Bryn Mawr, PA	January 28, 1980	2553	National Carriers Conference Committee and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart 2	Wilmington, DE	February 15, 1980	2554	Kansas City Southern Rwy. Co. and Brotherhood of Locomotive Engineers
Jacob Seidenberg 2	Falls Church, VA	March 17, 1980	2555	The Atchison, Topeka and Santa Fe Rwy. Co. and Brotherhood of Railway Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart 2	Wilmington, DE	January 31, 1980	2556	Southern Railway Co., The Cincinnati, New Orleans and Texas Pacific Rwy. Co., The Alabama Great Southern RR Co., The New Orleans Terminal Co., Georgia Southern and Florida Rwy. Co., Central of Georgia RR. Co., The Live Oak, Perry and South Georgia RR. Co., The Carolina and North-Western Rwy. Co., The Interstate RR. Co., Atlantic and East Carolina Rwy. Co., Chattanooga Traction Co., The Georgia Northern Rwy. Co., (Albany and Northern Seniority District), Louisiana Southern Rwy. Co., Norfolk Southern Rwy. Co., and Brotherhood of Maintenance of Way Employees
Richard R. Kasher 2	Bryn Mawr, PA	January 25, 1980	2557	Port Authority Trans-Hudson Corp. and Brotherhood of Locomotive Engineers
Neil P. Speirs 2	Rohnert Park, CA	January 21, 1980	2558	Peoria and Pekin Union Rwy. Co., and United Transportation Union
Robert M. O'Brien 2	Boston, MA	January 25, 1980	2559	Illinois Central Gulf RR. Co., and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Wilmington, DE	January 28, 1980	2560	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and United Transportation Union (C-T)
Harold M. Weston 2	New York, NY	May 9, 1980	2561	Louisville and Nashville RR. Co. and Brotherhood Railway Carmen of United States and Canada
Arthur T. Van Wart 2	Wilmington, DE	January 28, 1980	2562	Consolidated Rail Corp. and Railroad Yardmasters of America
Jesse Simons 2	New York, NY	February 5, 1980	2563	National Railroad Passenger Corp. (Amtrak) and American Railway Supervisors Association
Harold M. Weston 2	New York, NY	February 5, 1980	2564	Union Pacific RR. Co. (Northwestern District-Oregon Division) and United Transportation Union (E)
Kay McMurray 2	Bethesda, MD	February 6, 1980	2565	The Chesapeake and Ohio Rwy. Co., The Baltimore and Ohio RR. Co. (including Staten Island RR. Corp.), The Baltimore and Ohio Chicago Terminal RR. Co., and Western Maryland Rwy. Co. and International Brotherhood of Firemen and Oilers
Paul C. Carter 2	Wheaton, IL	February 5, 1980	2566	The Chesapeake and Ohio Rwy. Co., (Chesapeake District), the Baltimore and Ohio RR. Co. (Including the Staten Island RR. Corp.), The Baltimore and Ohio Chicago Terminal RR. Co., Western Maryland Rwy. Co. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Jack A. Warshaw 2	Bethesda, MD	February 14, 1980	2567	Philadelphia, Bethlehem and New England RR. Co. and United Transportation Union
Nicholas H. Zumas 2	Washington, DC	March 20, 1980	2568	Milwaukee-Kansas City Southern Joint Agency and United Transportation Union
Harold M. Weston 2	New York, NY	April 21, 1980	2569	Union Pacific RR. Co. and United Transportation Union (E)
Preston J. Moore 2	Oklahoma City, OK	March 7, 1980	2570	Consolidated Rail Corp. and United Transportation Union
Louis Yagoda 2	New Rochelle, NY	February 15, 1980	2571	Consolidated Rail Corp. (Former Penn Central Transportation Co.) and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	February 15, 1980	2572	Illinois Central Gulf RR. Co. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Richard R. Kasher 2	Bryn Mawr, PA	February 12, 1980	2573	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Joseph A. Sickles 2	Bethesda, MD	February 11, 1980	2574	Boston and Maine Corp. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Nicholas H. Zumas 2	Washington, DC	February 15, 1980	2575	Indiana Harbor Belt RR. Co. and Brotherhood of Locomotive Engineers
Robert E. Fitzgerald, Jr. 2	Chicago, IL	February 14, 1980	2576	Burlington Northern Inc. and International Brotherhood of Electrical Workers
Richard R. Kasher 2	Bryn Mawr, PA	February 11, 1980	2577	Soo Line RR. Co. (Motive Power and Machinery Department) and Brotherhood Railway Carmen of the United States and Canada, System Federation No. 7, Railway Employees' Department (AFL-CIO)
John B. Criswell 2	Stigler, OK	February 11, 1980	2578	Central of Georgia RR. Co. and United Transportation Union (E)
Jacob I. Karro 2	Washington, DC	February 21, 1980	2579	Norfolk and Western Rwy. Co. and United Transportation Union (C-E-T)

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1980—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Neil P. Speirs 2	Rohnert Park, CA	February 11, 1980	2580	The Colorado and Wyoming Rwy. Co. and United Transportation Union (T)
Harold M. Weston 2	New York, NY	March 18, 1980	2581	Bangor and Aroostook RR. Co. and United Transportation Union (T)
Dana E. Eischen 2	Ithaca, NY	February 19, 1980	2582	Missouri-Kansas-Texas RR. Co. and Brotherhood of Railroad Signalmen
Neil P. Speirs 2	Rohnert Park, CA	February 27, 1980	2583	Detroit and Toledo Shore Line RR. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	February 19, 1980	2584	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and American Railway Supervisors Association
Harold M. Weston 2	New York, NY	February 19, 1980	2585	Burlington Northern Inc. and United Transportation Union
Warren S. Lane 2	Lakeland, FL	February 19, 1980	2586	Seaboard Coast Line RR. Co. and United Transportation Union (C-T-E)
George S. Roukis 1	Manhasset Hills, NY	May 13, 1980	2588	Norfolk and Western Rwy. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Jacob Seidenberg 2	Falls Church, VA	February 19, 1980	2589	The Kansas City Southern Rwy. Co., Louisiana and Arkansas Rwy. Co. and United Transportation Union (T)
William M. Edgett 1	Ellicott City, MD	February 22, 1980	2590	Central of Georgia RR. Co., Georgia Northern Rwy. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	April 17, 1980	2590	Central of Georgia RR. Co., Georgia Northern Rwy. Co. and United Transportation Union
Irwin M. Lieberman 2	Stamford, CT	February 25, 1980	2591	The Atchison, Topeka and Santa Fe Rwy. Co. and United Transportation Union (C-T-Y)
C. Robert Roadley 2	Williamsburg, VA	April 10, 1980	2592	Detroit and Toledo Shore Line RR. Co. and United Transportation Union (T-C)
Robert M. O'Brien 2	Boston, MA	February 27, 1980	2593	Southern Pacific Transportation Co. (Including Former El Paso and Southwestern System) and Western Railway Supervisors Association
Irwin M. Lieberman 2	Stamford, CT	March 7, 1980	2594	Consolidated Rail Corp. and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Wilmington, DE	March 3, 1980	2595	Consolidated Rail Corp. and United Transportation Union
Robert M. O'Brien 2	Boston, MA	March 4, 1980	2596	Southern Pacific Transportation Co. (Pacific Lines) (Former Pacific Electric Rwy. Co.) and Brotherhood of Locomotive Engineers
David H. Brown 2	Sherman, TX	March 7, 1980	2597	Terminal Railroad Association of St. Louis and Brotherhood of Locomotive Engineers
Jeffrey B. Winton 2	Chicago, IL	March 7, 1980	2598	The Belt Railway Co. of Chicago and Brotherhood of Locomotive Engineers
David P. Twomey 2	Chestnut Hill, MA	March 14, 1980	2599	Illinois Central Gulf RR. Co. and United Transportation Union
Harold M. Weston 2	New York, NY	February 27, 1980	2600	Union Pacific RR. Co. (Eastern District) and United Transportation Union (E)
Joseph A. Sickles 2	Bethesda, MD	March 7, 1980	2601	Chicago, Milwaukee, St. Paul and Pacific RR. Co. and Brotherhood of Locomotive Engineers
Dana E. Eischen 2	Ithaca, NY	March 10, 1980	2602	The Baltimore and Ohio RR. Co. (Including the Staten Island RR. Corp.), (Western Maryland Rwy. Co.) and Brotherhood Railway Carmen of the United States and Canada
Herbert L. Marx, Jr. 2	New York, NY	March 14, 1980	2603	Illinois Central Gulf RR. Co. and Brotherhood Railway Carmen of the United States and Canada, System Federation No. 99, Railway Employees' Department, (AFL-CIO)
Claude S. Woody, Jr. 2	Oklahoma City, OK	March 19, 1980	2604	Missouri-Kansas-Texas RR. Co. and United Transportation Union (T-C)
Leverett Edwards 2	Fort Worth, TX	March 14, 1980	2605	The Atchison, Topeka and Santa Fe Rwy. Co. (Northern and Southern Divisions) and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Wilmington, DE	March 14, 1980	2606	The Atchison, Topeka and Santa Fe Rwy. Co. (Coast Lines) and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Wilmington, DE	April 21, 1980	2607	Missouri Pacific RR. Co. and Brotherhood Railway Carmen of the United States and Canada
C. Robert Roadley 2	Williamsburg, VA	March 17, 1980	2609	Cambria and Indiana RR. Co. and United Transportation Union
David H. Brown 2	Sherman, TX	March 18, 1980	2610	The Atchison, Topeka and Santa Fe Rwy. Co. (Northern and Southern Divisions) and United Transportation Union (E)
Harold M. Weston 2	New York, NY	March 18, 1980	2611	Burlington Northern Inc. and United Transportation Union
Irving T. Bergman 2	Mineola, NY	March 24, 1980	2612	Burlington Northern Inc. and United Transportation Union (T)
Louis Yagoda 2	New Rochelle, NY	March 17, 1980	2613	Consolidated Rail Corp. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
David H. Brown 2	Sherman, TX	June 19, 1980	2615	The Denver and Rio Grande Western RR. Co. and United Transportation Union (C-T)
Joseph A. Sickles 2	Bethesda, MD	March 21, 1980	2616	Seaboard Coast Line RR. Co. and American Train Dispatchers Association
William E. Fedenberger, Jr. 2	Stafford, VA	April 7, 1980	2617	Consolidated Rail Corp. and United Transportation Union (C-T)
David H. Brown 2	Sherman, TX	April 28, 1980	2618	Consolidated Rail Corp. and United Transportation Union
Harold M. Weston 2	New York, NY	March 17, 1980	2619	Chicago and North Western Transportation Co. and United Transportation Union
Paul C. Carter 2	Wheaton, IL	March 24, 1980	2620	St. Louis-San Francisco Rwy. Co. and Brotherhood Railway Carmen of the United States and Canada, System Federation No. 22, Railway Employees' Department (AFL-CIO)
Joseph A. Sickles 2	Bethesda, MD	March 24, 1980	2621	Consolidated Rail Corp. and Railroad Yardmasters of America
Jacob Seidenberg 2	Falls Church, VA	April 21, 1980	2623	The Monogahela Connecting RR. Co. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	March 31, 1980	2624	Burlington Northern Inc. and United Transportation Union
Dana E. Eischen 2	Ithaca, NY	April 3, 1980	2625	Illinois Central Gulf RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Nicholas H. Zumas 2	Washington, DC	April 7, 1980	2626	Toledo Terminal RR. Co. and Brotherhood of Locomotive Engineers
Jacob Seidenberg 2	Falls Church, VA	April 7, 1980	2627	Union Pacific RR. Co. (Eastern District) and Brotherhood of Locomotive Engineers
Tedford E. Schoonover 2	Colorado Springs, CO	April 11, 1980	2628	Nevada Northern Rwy. Co. and United Transportation Union
Nelson M. Bortz 2	Kitty Hawk, NC	April 14, 1980	2629	Terminal Railway-Alabama State Docks and United Transportation Union
Harold M. Weston 2	New York, NY	April 8, 1980	2630	The Baltimore and Ohio RR. Co. and Brotherhood of Maintenance of Way Employees
Nicholas H. Zumas 2	Washington, DC	June 9, 1980	2631	The River Terminal Rwy. Co. and United Transportation Union (T)
Irving T. Bergman 2	Mineola, NY	April 7, 1980	2632	Burlington Northern Inc. and United Transportation Union (C-T)
Dana E. Eischen 2	Ithaca, NY	April 11, 1980	2633	Fruit Growers Express Co. and Brotherhood Railway Carmen of the United States and Canada, Railway Employees' Department (AFL-CIO)
George S. Roukis 2	Manhasset Hills, NY	April 17, 1980	2634	Chicago Short Line Rwy. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees

See footnotes at end of table



1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1980—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
James F. Seearce 2	Atlanta, GA	April 11, 1980	2635	The Washington Terminal Co. and Brotherhood Railway Carmen of the United States and Canada
Gilbert H. Vernon 2	Eau Claire, WI	April 11, 1980	2636	Illinois Central Gulf RR. Co. and International Brotherhood of Firemen and Oilers
David Dolnick 2	Chicago, IL	April 7, 1980	2637	Chicago and North Western Transportation Co. and Railroad Yardmasters of America
Kay McMurray 2	Bethesda, MD	April 21, 1980	2638	Norfolk and Western Rwy. Co. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Arthur T. Van Wart 2	Wilmington, DE	June 27, 1980	2639	Louisville and Nashville RR. Co. and United Transportation Union
Leverett Edwards 2	Fort Worth, TX	April 28, 1980	2640	Norfolk and Western Rwy. Co. and Brotherhood of Locomotive Engineers
Francis X. Quinn 2	Longport, NJ	July 21, 1980	2641	Detroit and Toledo Shore Line RR. Co. and United Transportation Union
Harold M. Weston 2	New York, NY	April 23, 1980	2642	Soo Line RR. Co. and United Transportation Union (T-C)
John J. Gaherin 2	Bradenton, FL	July 21, 1980	2643	Apalachicola Northern RR. Co. and United Transportation Union (C-T-E)
Harold M. Weston 2	New York, NY	May 9, 1980	2644	Union Pacific RR. Co. (Northwestern District-Oregon Division) and Brotherhood of Locomotive Engineers
Leverett Edwards 2	Fort Worth, TX	April 28, 1980	2645	Burlington Northern Inc. and United Transportation Union (T)
A. Thomas Van Wart 2	Salem, NJ	April 28, 1980	2646	Toledo, Peoria and Western RR. Co. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	April 28, 1980	2647	Toledo, Peoria and Western RR. Co. and United Transportation Union
Theodore H. O'Brien 2	Boston, MA	April 28, 1980	2648	Brooklyn Eastern District Terminal and Brotherhood of Locomotive Engineers
Harold M. Weston 2	New York, NY	April 28, 1980	2649	Delaware and Hudson Rwy. Co. and United Transportation Union (E)
Richard R. Kasher 2	Bryn Mawr, PA	April 28, 1980	2650	The Long Island Rail Road Co. and United Transportation Union
David H. Brown 2	Sherman, TX	April 28, 1980	2651	Consolidated Rail Corp. and United Transportation Union
Abraham Weiss 2	Bethesda, MD	April 30, 1980	2652	Chicago Rock Island and Pacific RR. Co. and Brotherhood of Locomotive Engineers
John J. Gaherin 2	Bradenton, FL	May 12, 1980	2653	The Belt Railway Co. of Chicago and United Transportation Union
Harold M. Weston 2	New York, NY	May 28, 1980	2654	Union Pacific RR. Co. and Brotherhood of Locomotive Engineers
Jacob Seidenberg 2	Falls Church, VA	May 9, 1980	2655	Missouri Pacific RR. Co. and United Transportation Union (C-T)
Arthur T. Van Wart 2	Wilmington, DE	May 7, 1980	2657	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and Western Railway Supervisors Association
Arthur T. Van Wart 2	Wilmington, DE	September 25, 1980	2658	Steelton and Highspire RR. Co. and United Transportation Union
George E. Larney 2	Evanston, IL	May 12, 1980	2659	Chicago and North Western Transportation Co. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	May 12, 1980	2660	The Indiana Harbor Belt RR. Co. and Railroad Yardmasters of America
Irwin M. Lieberman 2	Stamford, CT	May 20, 1980	2661	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
William E. Fredenberger, Jr. 2	Stafford, VA	August 4, 1980	2663	Consolidated Rail Corp. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	September 25, 1980	2664	Consolidated Rail Corp. and United Transportation Union
Paul C. Carter 2	Wheaton, IL	May 20, 1980	2665	Colorado and Wyoming Rwy. Co. and Allied Services Division, Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
James F. Seearce 2	Atlanta, GA	May 23, 1980	2666	Grand Trunk Western RR. Co. and Brotherhood Railway Carmen of the United States and Canada, System Federation #4, Railway Employees' Department, (AFL-CIO)
George S. Roukis 1	Manhasset Hills, NY	May 29, 1980	2668	Norfolk and Western Rwy. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Joseph A. Sickles 1	Bethesda, MD	June 16, 1980	2669	Staten Island Rapid Transit Operating Authority and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Nicholas H. Zumas 2	Washington, DC	May 15, 1980	2670	The Long Island Rail Road Co. and United Transportation Union
Elton P. Barstad 2	Minneapolis, MN	June 18, 1980	2671	Detroit, Toledo and Ironton RR. Co. and United Transportation Union
David H. Brown 2	Sherman, TX	August 12, 1980	2672	Louisville and Nashville RR. Co. and United Transportation Union
David H. Brown 2	Sherman, TX	August 12, 1980	2673	Louisville and Nashville RR. Co. and United Transportation Union
Richard R. Kasher 2	Bryn Mawr, PA	May 29, 1980	2674	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and Brotherhood of Locomotive Engineers
Leverett Edwards 1	Fort Worth, TX	June 9, 1980	2675	Norfolk and Western Rwy. Co. and United Transportation Union (E)
Kay McMurray 2	Bethesda, MD	June 13, 1980	2676	Washington Terminal Co. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Neil P. Speirs 2	Rohnert Park, CA	June 17, 1980	2677	St. Louis-San Francisco Rwy. Co. (including AT&N District) and Brotherhood of Locomotive Engineers
Dana E. Eischen 2	Ithaca, NY	June 9, 1980	2678	The Baltimore and Ohio RR. Co., The Baltimore and Ohio Chicago Terminal RR. Co. and United Transportation Union (C-T)
David H. Brown 2	Sherman, TX	June 16, 1980	2680	Missouri Pacific RR. Co. and United Transportation Union (E)
A. Thomas Van Wart 2	Salem, NJ	June 16, 1980	2681	Washington Terminal Co. and United Transportation Union (E)
Arthur T. Van Wart 2	Wilmington, DE	June 16, 1980	2682	Consolidated Rail Corp. and United Transportation Union
Barry Tucker 2	Oak Lawn, IL	June 19, 1980	2684	Missouri Pacific RR. Co. (former Chicago and Eastern Illinois RR. Co.) and International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers
Leverett Edwards 1	Fort Worth, TX	June 16, 1980	2685	Union Pacific RR. Co. (Eastern and South Central District) and United Transportation Union (C-T-E)
A. Thomas Van Wart 2	Salem, NJ	June 19, 1980	2686	Patapsco and Back Rivers RR. Co. and United Transportation Union
James F. Seearce 1	Atlanta, GA	June 23, 1980	2687	Atlanta and St. Andrews Bay Rwy. Co. and United Transportation Union (E)
Preston J. Moore 2	Oklahoma City, OK	June 23, 1980	2688	Missouri Pacific RR. Co. and United Transportation Union (C-T)
William E. Fredenberger, Jr. 2	Stafford, VA	August 19, 1980	2689	Norfolk and Western Rwy. Co. and United Transportation Union (C)
Herbert L. Marx, Jr. 2	New York, NY	June 23, 1980	2691	Southern Rwy. Co. and International Association of Machinists and Aerospace Workers
Arthur T. Van Wart 2	Wilmington, DE	July 1, 1980	2692	The National RR. Passenger Corp. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Paul C. Carter 2	Wheaton, IL	August 5, 1980	2693	Missouri-Kansas-Texas RR. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Harold M. Weston 2	New York, NY	June 27, 1980	2694	Consolidated Rail Corp. and Transport Workers Union of America

See footnotes at end of table

1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1980—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Barry K. Tucker 2	Oak Lawn, IL	June 23, 1980	2695	Union Pacific RR. Co. (Motive Power and Machinery Department) and International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers, (AFL-CIO)
Arthur T. Van Wart 2	Wilmington, DE	July 28, 1980	2697	Detroit, Toledo and Ironton RR. Co. and United Transportation Union
Arthur W. Sempliner 2	Grosse Pointe Farms, MI	July 7, 1980	2698	The Youngstown and Northern RR. Co. and United Transportation Union (E)
David Dolnick 2	Chicago, IL	July 7, 1980	2699	Union Pacific RR. Co. and Brotherhood of Maintenance of Way Employees
Gene T. Ritter 2	Ardmore, OK	July 7, 1980	2701	The Colorado and Southern Rwy. Co. and Brotherhood of Locomotive Engineers
Irving T. Bergman 2	Mineola, NY	July 7, 1980	2702	The Long Island RR. Co. and International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers
Neil P. Speirs 2	Rohnert Park, CA	July 9, 1980	2704	Union Pacific RR. Co. (Eastern District) and United Transportation Union (C-T)
Preston J. Moore 1	Oklahoma City, OK	August 14, 1980	2705	Houston Belt and Terminal Rwy. Co. and United Transportation Union
Robert A. Franden 2	Tulsa, OK	July 18, 1980	2706	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and United Transportation Union (E)
Robert E. Stenzinger 2	Glenview, IL	July 10, 1980	2708	Chicago, Milwaukee, St. Paul and Pacific RR. Co. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Preston J. Moore 2	Oklahoma City, OK	August 4, 1980	2709	Houston Belt and Terminal Rwy. Co. and United Transportation Union
Gene I. Ritter 2	Ardmore, OK	July 18, 1980	2710	The Colorado and Southern Rwy. Co. and Brotherhood of Maintenance of Way Employees
George E. Larney 2	Evanston, IL	July 21, 1980	2712	Chicago and North Western Transportation Co. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Richard R. Kasher 2	Bryn Mawr, PA	August 4, 1980	2713	The Pittsburgh and Lake Erie RR. Co., The Lake Erie and Eastern RR. Co. and Transport Workers Union of America (AFL-CIO)
Harold M. Weston 2	New York, NY	August 4, 1980	2714	Longview Switching Co. and Brotherhood of Locomotive Engineers
Paul C. Carter 2	Wheaton, IL	July 15, 1980	2715	The Atchison, Topeka and Santa Fe Rwy. Co. and Brotherhood Railway Carmen of the United States and Canada
David Dolnick 2	Chicago, IL	August 4, 1980	2716	Houston Belt and Terminal Rwy. Co. and Brotherhood of Locomotive Engineers
Paul C. Carter 2	Wheaton, IL	July 28, 1980	2717	Southern Railway Co. and International Brotherhood of Electrical Workers
Joseph A. Sickles 2	Bethesda, MD	August 4, 1980	2719	Norfolk and Western Rwy. Co. and Railroad Yardmasters of America
John J. Mikrut, Jr. 2	Columbia, MO	September 3, 1980	2720	Consolidated Rail Corp. and International Brotherhood of Firemen and Oilers
William M. Edgett 2	Ellicott City, MD	August 4, 1980	2721	Consolidated Rail Corp. and United Transportation Union
Harold M. Weston 2	New York, NY	August 22, 1980	2722	Burlington Northern Inc. and United Transportation Union (T)
Joseph A. Sickles 2	Bethesda, MD	August 4, 1980	2723	New York Dock Rwy. Co. and United Transportation Union
Robert A. Franden 2	Tulsa, OK	August 13, 1980	2726	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and United Transportation Union (S)
Jacob Seidenberg 2	Falls Church, VA	August 11, 1980	2727	Southern Railway Co., Central of Georgia RR. Co., The Cincinnati, New Orleans and Texas Pacific Rwy. Co., The Alabama Great Southern RR. Co., New Orleans and Northeastern RR. Co., New Orleans Terminal Co., Norfolk Southern Rwy. Co., Georgia Southern and Florida Rwy. Co. and Railroad Yardmasters of America
Richard R. Kasher 2	Bryn Mawr, PA	August 22, 1980	2728	Boston and Maine Corp. and Brotherhood Railway Carmen of the United States and Canada
Arthur T. Van Wart 2	Wilmington, DE	September 25, 1980	2729	Louisville and Nashville RR. Co. and United Transportation Union
A. Thomas Van Wart 2	Salem, NJ	September 10, 1980	2730	Union Pacific RR. Co. and United Transportation Union (E)
Irwin M. Lieberman 2	Stamford, CT	August 18, 1980	2732	Southern Pacific Transportation Co. (Texas and Louisiana Lines) and Brotherhood of Railroad Signalmen
Irwin M. Lieberman 2	Stamford, CT	August 22, 1980	2734	St. Louis Southwestern Rwy. Co. and American Train Dispatchers Association
Herbert L. Marx, Jr. 2	New York, NY	August 18, 1980	2735	The Western Pacific RR. Co. and Brotherhood Railway Carmen of the United States and Canada
Robert E. Stenzinger 2	Glenview, IL	August 29, 1980	2736	Chicago, Milwaukee, St. Paul and Pacific RR. Co. and International Association of Machinists and Aerospace Workers
George E. Larney 2	Evanston, IL	September 3, 1980	2737	Soo Line RR. Co. and United Transportation Union (T-C)
Kay McMurray 2	Bethesda, MD	September 3, 1980	2738	Norfolk and Western Rwy. Co. and Brotherhood Railway Carmen of the United States and Canada, System Federation No. 16, Railway Employees' Department (AFL-CIO)
Leverett Edwards 2	Fort Worth, TX	August 21, 1980	2739	Missouri-Kansas-Texas RR. Co. and United Transportation Union (T-C)
Paul C. Carter 2	Wheaton, IL	September 3, 1980	2742	Consolidated Rail Corp. and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Richard R. Kasher 2	Bryn Mawr, PA	August 26, 1980	2746	Burlington Northern Inc. and Brotherhood of Maintenance of Way Employees
William E. Fredenberger, Jr. 2	Stafford, VA	September 16, 1980	2748	Minneapolis, Northfield and Southern Rwy. Inc. and United Transportation Union
Joseph A. Sickles 2	Bethesda, MD	September 16, 1980	2749	Norfolk and Western Rwy. Co. and Brotherhood of Locomotive Engineers
Arthur T. Van Wart 2	Wilmington, DE	September 10, 1980	2750	Central of Georgia RR. Co. and United Transportation Union
Irwin M. Lieberman 2	Stamford, CT	September 22, 1980	2751	The Denver and Rio Grande Western RR. Co. and Brotherhood Railway Carmen of the United States and Canada
Joseph A. Sickles 2	Bethesda, MD	September 10, 1980	2752	Port Terminal RR. Assoc. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
James F. Searce 2	Atlanta, GA	September 22, 1980	2753	Burlington Northern Inc. and Allied Services Division-Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Arthur T. Van Wart 2	Wilmington, DE	September 22, 1980	2754	Union RR. Co. and United Transportation Union
Herbert L. Marx, Jr. 2	New York, NY	September 23, 1980	2755	The Long Island Rail Road Co. and Railroad Yardmasters of America
Richard R. Kasher 2	Bryn Mawr, PA	September 22, 1980	2756	Central Vermont Rwy. Inc. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Irving T. Bergman 2	Mineola, NY	September 24, 1980	2757	Burlington Northern Inc. and United Transportation Union
Arthur T. Van Wart 2	Wilmington, DE	September 25, 1980	2758	Canton RR. Co. and United Transportation Union

See footnotes at end of table

### 1. Neutrals Appointed Pursuant to Public Law 89-456 (Public Law Boards), Fiscal Year 1980—Continued

Name	Residence	Date of Appointment	Public Law Board No.	Parties
Joseph A. Sickles 2	Bethesda, MD	September 22, 1980	2760	Norfolk and Western Rwy. Co. and United Transportation Union (C-E-T)
Francis X. Quinn 2	Longport, NJ	September 30, 1980	2761	Duluth, Missabe and Iron Range Rwy. Co. and Railroad Yardmasters of America
Arthur T. Van Wart 2	Wilmington, DE	September 30, 1980	2763	The Baltimore and Ohio Rwy. Co. and Railroad Yardmasters of America
R.E. Peterson 2	Ossining, NY	September 18, 1980	2765	Norfolk and Western Rwy. Co. and United Transportation Union
Rodney E. Dennis 2	Ithaca, NY	September 25, 1980	2766	Missouri Pacific RR, Co. and International Brotherhood of Electrical Workers
Robert M. O'Brien 2	Boston, MA	September 30, 1980	2770	Central Vermont Rwy. Inc. and Brotherhood of Locomotive Engineers

<sup>1</sup>Procedural

<sup>2</sup>Merits

<sup>3</sup>Neutral resigned

### 2. Arbitrators Appointed—Arbitration Boards, October 1, 1979 to September 30, 1980

Name	Residence	Date of Appointment	Arbitration Board Case No.	Parties
David H. Stowe <sup>1</sup>	Bethesda, MD	Oct. 2, 1979	Arbitration No. 298 Case No. A-7948	Central of Georgia RR Co. and Brotherhood of Railroad Signalmen
Arthur T. Van Wart	Wilmington, DE	Dec. 19, 1979	Arbitration No. 384	Richmond, Fredericksburg and Potomac RR Co. and United Transportation Union
Francis A. O'Neill, Jr. <sup>1</sup>	Manasquan, NJ	Jan. 9, 1980	Arbitration No. 385	Consolidated Rail Corporation and United Transportation Union (C) and (T)
Arthur T. Van Wart	Wilmington, DE	Feb. 19, 1980	Arbitration No. 385	Consolidated Rail Corporation and United Transportation Union (C) and (T)
Arthur T. Van Wart	Wilmington, DE	Feb. 25, 1980	Arbitration No. 386	Consolidated Rail Corporation and United Transportation Union (E)
Jacob Seidenberg	Falls Church, VA	March 25, 1980	Arbitration No. 387 Case No. A-10467	Boston and Maine Railroad and United Transportation Union
H. Raymond Cluster	North Truro, MA	March 28, 1980	Arbitration No. 388	The Atchison, Topeka and Santa Fe Railway Company and Brotherhood of Locomotive Engineers and United Transportation Union (E) and (C) (T) and (Y)
Irwin M. Lieberman	Stamford, CT	April 7, 1980	Arbitration No. 389 Case No. A-7460	Louisville and Nashville Railroad Company and American Train Dispatchers Association
Richard R. Kasher	Bryn Mawr, PA	July 30, 1980	Arbitration No. 390 Case No. A-8830	Consolidated Rail Corporation and United Transportation Union
William E. Fredenberger, Jr.	Stafford, VA	July 29, 1980	Arbitration No. 391 Case No. A-8830	Consolidated Rail Corporation and United Transportation Union
Seymour Strongin	Washington, DC	Aug. 14, 1980	Arbitration No. 392	Philadelphia, Bethlehem and New England Railroad Company and International Brotherhood of Electrical Workers; International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers; International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Francis X. Quinn	Longport, NJ	Aug. 19, 1980	Arbitration No. 393 Case No. A-8830	Consolidated Rail Corporation and United Transportation Union
William M. Edgett	Ellicott City, MD	Aug. 20, 1980	Arbitration No. 394 Case No. A-8830	Consolidated Rail Corporation and United Transportation Union
Dana E. Eischen	Ithaca, NY	Sept. 12, 1980	Arbitration No. 395 Case No. A-8830	Consolidated Rail Corporation and United Transportation Union

<sup>1</sup>Neutral resigned

### 2a. Arbitrators Appointed—Task Force Arbitrations, October 1, 1979 to September 30, 1980

Name	Residence	Date of Appointment	Task Force Board No.	Parties
Peyton M. Williams	Oklahoma City, OK	April 8, 1980	20	Missouri-Kansas-Texas Railroad Company and United Transportation Union (T&C) and (E)



### 3. Neutrals Appointed—Special Boards of Adjustment, October 1, 1979 to September 30, 1980

Name	Residence	Date of Appointment	Special Board No.	Parties
Paul D. Hanlon <sup>1</sup>	Portland, OR	May 28, 1980	18	Southern Pacific Transportation Co. and United Transportation Union
Paul D. Hanlon <sup>2</sup>	Portland, OR	May 28, 1980	107	Southern Pacific Transportation Co. and United Transportation Union
David Dolnick <sup>2</sup>	Chicago, IL	November 13, 1979	140	Chicago, Milwaukee, St. Paul and Pacific RR. Co. and United Transportation Union
Rodney E. Dennis <sup>3</sup>	New York, NY	November 2, 1979	570	National Railway Labor Conference and Railway Employees' Department (AFL-CIO)
Robert A. Franden <sup>3</sup>	Tulsa, OK	November 2, 1979	570	National Railway Labor Conference and Railway Employees' Department (AFL-CIO)
Herbert L. Marx, Jr. <sup>3</sup>	New York, NY	November 2, 1979	570	National Railway Labor Conference and Railway Employees' Department (AFL-CIO)
David P. Twomey <sup>3</sup>	Quincy, MA	November 2, 1979	570	National Railway Labor Conference and Railway Employees' Department (AFL-CIO)
Abraham Weiss <sup>3</sup>	Bethesda, MD	November 2, 1979	570	National Railway Labor Conference and Railway Employees' Department (AFL-CIO)
Herbert L. Marx, Jr. <sup>3</sup>	New York, NY	February 5, 1980	597	Southern Railway Co. and Railway Employees' Department
Richard R. Kasher <sup>3</sup>	Bryn Mawr, PA	February 6, 1980	597	Southern Railway Co. and Railway Employees' Department
Rodney E. Dennis <sup>3</sup>	New York, NY	February 5, 1980	597	Southern Railway Co. and Railway Employees' Department
Paul C. Carter <sup>3</sup>	Wheaton, IL	February 5, 1980	597	Southern Railway Co. and Railway Employees' Department
Dana E. Eischen <sup>1</sup>	Ithaca, NY	November 6, 1979	605	National Railway Labor Conference and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Paul D. Hanlon	Portland, OR	February 19, 1980	899	National Carriers Conference Committee (parties to the National Carriers Conference Committee—Brotherhood of Railroad Signalmen)—Agreement of July 27, 1978—and Employees of such railroads represented by the Brotherhood of Railroad Signalmen
William E. Fredenberger, Jr.	Stafford, VA	June 5, 1980	900	Delaware and Hudson Rwy. Co. and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees
Richard R. Kasher	Bryn Mawr, PA	July 28, 1980	901	The National RR. Passenger Corp. (Amtrak) and Brotherhood of Maintenance of Way Employees
Joseph A. Sickles	Bethesda, MD	September 9, 1980	902	Norfolk and Western Rwy. Co. and Railroad Yardmasters of America

<sup>1</sup> Neutral resigned

<sup>2</sup> Replaced Robert O. Boyd, who resigned

<sup>3</sup> Parties replaced neutral

### 4. Neutrals Nominated Pursuant to Union Shop Agreements, October 1, 1979 to September 30, 1980

Name	Residence	Date of Appointment	Carrier	Organization	Individual Involved
Nicholas H. Zumas <sup>1</sup>	Washington, DC	Oct. 9, 1979	Consolidated Rail Corporation	Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, Transportation Communication Division	Jane K. Wolfe
Francis J. Robertson	Chevy Chase, MD	Dec. 19, 1979	Atchison, Topeka and Santa Fe Railway Company	Brotherhood of Railroad Signalmen	B.E. Andrews
David Dolnick	Chicago, IL	Dec. 20, 1979	National Railroad Passenger Corporation	Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, Allied Services Division	Johathan C. King
Arnold Ordman	Bethesda, MD	March 7, 1980	Consolidated Rail Corporation	Brotherhood of Maintenance of Way Employees	Stephen J. Yatsko
Robert B. Lubic	Washington, DC	May 22, 1980	Norfolk and Western Railway Company	International Brotherhood of Electrical Workers	H.E. Wilson, Jr.
David H. Stowe	Bethesda, MD	June 2, 1980	Consolidated Rail Corporation	Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees	George McKnight
William E. Fredenberger, Jr.	Stafford, VA	Sept. 15, 1980	National Railroad Passenger Corporation	Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees	Gerald Anthony Brice

<sup>1</sup> Neutral resigned

### 5. Referees Appointed—System Boards of Adjustment, October 1, 1979 to September 30, 1980

Name	Residence	Date of Appointment	Parties
Norman H. Greer*	Los Angeles, CA	Oct. 23, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Leo Fried*	San Francisco, CA	Oct. 23, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Elaine Frost*	Detroit, MI	Oct. 23, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Robert G. Meiners*	San Diego, CA	Oct. 23, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Charles W. Steese*	Los Angeles, CA	Oct. 23, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Elaine Frost*	Detroit, MI	Oct. 23, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Charles W. Bunker*	Los Angeles, CA	Oct. 23, 1979	Alaska Airlines, Inc. and Association of Flight Attendants
Nicholas H. Zumas	Washington, DC	Oct. 24, 1979	Sabena Belgian World Airlines and Transport Workers Union of America
Panel submitted on November 5, 1979; parties selected own arbitrator			Transamerica Airlines, Inc. and Association of Flight Attendants
Panel Submitted on November 5, 1979; parties selected own arbitrator			Transamerica Airlines, Inc. and Association of Flight Attendants
Robert G. Meiners	San Diego, CA	Nov. 5, 1979	Transamerica Airlines, Inc. and Association of Flight Attendants
Anne H. Woolf*	Norman, OK	Nov. 5, 1979	Transamerica Airlines, Inc. and Association of Flight Attendants
Panel submitted on November 5, 1979; parties selected own arbitrator			Transamerica Airlines, Inc. and Association of Flight Attendants

5. Referees Appointed—System Boards of Adjustment, October 1, 1979 to September 30, 1980—Continued

Name	Residence	Date of Appointment	Parties
Jonas Aarons*	New York, NY	Nov. 6, 1979	Pan American World Airways, Inc. and Transport Workers Union of America
William A. Toomey, Jr.*	Albany, NY	Nov. 6, 1979	Pan American World Airways, Inc. and Transport Workers Union of America
Ida Klaus*	New York, NY	Nov. 6, 1979	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Nicholas H. Zumas*	Washington, DC	Nov. 6, 1979	Pan American World Airways, Inc. and Transport Workers Union of America
Panel submitted on November 13, 1979; dispute settled without arbitration			Transamerica Airlines, Inc. and Association of Flight Attendants
Panel submitted on November 16, 1979; dispute settled without arbitration			Piedmont Airlines, Inc. and Association of Flight Attendants
H.T. Herrick*	Washington, DC	Nov. 16, 1979	Piedmont Airlines, Inc. and Association of Flight Attendants
Al Leggat*	St. Petersburg, FL	Nov. 16, 1979	Piedmont Airlines, Inc. and Association of Flight Attendants
George S. King*	Atlanta, GA	Nov. 16, 1979	Piedmont Airlines, Inc. and Association of Flight Attendants
J. Fredrik Ekstrom*	Camden, NJ	Nov. 28, 1979	Pan American World Airways, Inc. and Transport Workers Union of America
Frank W. McCulloch	Charlottesville, VA	Dec. 3, 1979	U.S. Air and International Association of Machinists and Aerospace Workers
Panel submitted; parties selected own arbitrator on December 4, 1979			Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
John C. Shearer*	Stillwater, OK	Dec. 13, 1979	Southwest Airlines, Inc. and International Association of Machinists and Aerospace Workers
Richard R. Kasher	Bryn Mawr, PA	Dec. 14, 1979	Continental Airlines, Inc. and Union of Flight Attendants
Ida Klaus	New York, NY	Dec. 18, 1979	Continental Airlines, Inc. and Union of Flight Attendants
Meyer Drucker*	New York, NY	Jan. 2, 1980	Pan American World Airways, Inc. and Transport Workers Union of America
Panel submitted on January 2, 1980; with arbitrator to be selected			Trans International Airlines, Inc. and Air Line Pilots Association
Bernard Cushman*	Silver Spring, MD	Jan. 2, 1980	Seaboard World Airlines, Inc. and Air Line Pilots Association
Nicholas H. Zumas*	Washington, DC	Jan. 2, 1980	Seaboard World Airlines, Inc. and Air Line Pilots Association
Seymour Strongin	Washington, DC	Jan. 11, 1980	Seaboard World Airlines, Inc. and Transport Workers Union of America
Ida Klaus	New York, NY	Jan. 11, 1980	Seaboard World Airlines, Inc. and Transport Workers Union of America
David H. Stowe	Bethesda, MD	Jan. 11, 1980	Seaboard World Airlines, Inc. and Transport Workers Union of America
Nicholas H. Zumas	Washington, DC	Jan. 11, 1980	Seaboard World Airlines, Inc. and Transport Workers Union of America
James M. Harkless	Washington, DC	Jan. 11, 1980	Seaboard World Airlines, Inc. and Transport Workers Union of America
Richard I. Bloch*	Washington, DC	Jan. 17, 1980	Pan American World Airways, Inc. and Transport Workers Union of America
Panel submitted on January 17, 1980; with arbitrator to be selected.			Transamerica Airlines, Inc. and Air Line Pilots Association
Panel submitted on January 17, 1980; with arbitrator to be selected.			Transamerica Airlines, Inc. and Air Line Pilots Association
Panel submitted on January 18, 1980; disputes settled without arbitration			Transamerica Airlines, Inc. and Association of Flight Attendants
Panel submitted on January 18, 1980; parties selected own arbitrator.			Transamerica Airlines, Inc. and Association of Flight Attendants
Panel submitted on January 17, 1980; with arbitrator to be selected.			Sabena Belgian World Airlines and Transport Workers Union of America
William H. Coburn	Alexandria, VA	Jan. 28, 1980	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Eva Robins	New York, NY	Jan. 28, 1980	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Francis J. Robertson	Chevy Chase, MD	Jan. 28, 1980	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Jacob Seidenberg	Falls Church, VA	Jan. 28, 1980	Eastern Air Lines, Inc. and Salaried Non-Management Employees
Panel submitted on January 29, 1980; with arbitrator to be selected			Capitol International Airways and Air Line Pilots Association
Panel submitted on January 29, 1980; with arbitrator to be selected			Capitol International Airways and Air Line Pilots Association
Panel submitted on January 28, 1980; dispute settled without arbitration			Pan American World Airways and Transport Workers Union of America
Francis J. Robertson*	Chevy Chase, MD	Jan. 28, 1980	Pan American World Airways and Transport Workers Union of America
David H. Stowe*	Bethesda, MD	Jan. 28, 1980	Pan American World Airways and Transport Workers Union of America
Bernard L. Balicer*	Short Hills, NJ	Jan. 29, 1980	Pan American World Airways and International Brotherhood of Teamsters
William S. Rule*	Redondo Beach, CA	Jan. 30, 1980	Alaska Airlines, Inc. and Association of Flight Attendants
Gerry L. Fellman*	Los Angeles, CA	Jan. 30, 1980	Alaska Airlines, Inc. and Association of Flight Attendants
Leo Fried*	San Francisco, CA	Jan. 30, 1980	Alaska Airlines, Inc. and Association of Flight Attendants
William H. Dorsey*	Portland, OR	Jan. 30, 1980	Alaska Airlines, Inc. and Association of Flight Attendants
J. Earl Williams*	Houston, TX	Jan. 30, 1980	Braniff International and Association of Flight Attendants
William E. Simkin*	Tucson, AZ	Jan. 30, 1980	Southwest Airlines and Transport Workers Union of America
Panel submitted on February 7, 1980; parties selected own arbitrator.			Hughes Airwest, Inc. and Association of Flight Attendants
Mark Paulos	Dallas, TX	Feb. 13, 1980	Aeromexico Airlines, Inc. and International Brotherhood of Teamsters
George S. Roukis*	Manhasset Hills, NY	Feb. 14, 1980	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Tia S. Denenberg*	Red Hook, NY	Feb. 14, 1980	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Daniel F. Brent*	Morristown, NJ	Feb. 14, 1980	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Henry L. Sisk*	Denton, TX	Feb. 14, 1980	Southwest Airlines and International Association of Machinists and Aerospace Workers
Six panels of seven neutrals each submitted on February 25, 1980 with arbitrator to be selected.			Transamerica Airlines, Inc. and Air Line Pilots Association
James H. Rademacher*	McLean, VA	Feb. 26, 1980	Piedmont Airlines, Inc. and Association of Flight Attendants
Bernard A. Frank*	Miami Beach, FL	March 3, 1980	Pan American World Airways, Inc. and International Brotherhood of Teamsters
James J. Sherman*	Tampa, FL	March 3, 1980	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Marcus A. Paulos*	Dallas, TX	March 6, 1980	Braniff International and Association of Flight Attendants
Arnold Ordman	Bethesda, MD	Feb. 20, 1980	Alitalia Airlines, Inc. and International Association of Machinists and Aerospace Workers
Donald H. Wollett*	Sacramento, CA	March 12, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
William Eaton*	San Francisco, CA	March 12, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
Seymour Strongin	Washington, DC	March 12, 1980	Sabena Belgian World Airlines and Transport Workers Union of America
Jerome S. Rubenstein*	New York, NY	March 25, 1980	KLM Royal Dutch Airlines, Inc. and Transport Workers Union of America
Panel submitted on March 25, 1980; parties selected own arbitrator			KLM Royal Dutch Airlines, Inc. and Transport Workers Union of America
Charles C. Morrow*	Nashville, TN	March 26, 1980	Capitol International Airways and Air Line Pilots Association
Panel submitted on March 26, 1980, with arbitrator to be selected			Capitol International Airways and Air Line Pilots Association
Samuel S. Dickey*	Springfield, MO	March 26, 1980	Capitol International Airways and Air Line Pilots Association
Ruth E. Kahn*	Birmingham, MI	March 31, 1980	Republic Airlines, Inc. and Association of Flight Attendants
Clara H. Friedman*	New York, NY	April 7, 1980	Pan American World Airways, Inc. and Transport Workers Union of America
Panel submitted on April 7, 1980; with arbitrator to be selected			Seaboard World Airlines, Inc. and Air Line Pilots Association
Preston J. Moore*	Oklahoma City, OK	April 7, 1980	Braniff International Airways, Inc. and Air Line Pilots Association
Frank Elkouri*	Norman, OK	April 8, 1980	Braniff International Airways, Inc. and Association of Flight Attendants
Nicholas J. O'Connell*	Arlington, TX	April 8, 1980	Braniff International Airways, Inc. and Association of Flight Attendants
James J. Sherman	Tampa, FL	April 9, 1980	Ozark Air Lines and Air Line Pilots Association

5. Referees Appointed—System Boards of Adjustment, October 1, 1979 to September 30, 1980—Continued

Name	Residence	Date of Appointment	Parties
Edward E. Landergren, Jr.*	Oakland, CA	April 14, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
Geraldine M. Randall*	San Rafael, CA	April 14, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
Daniel House*	New York, NY	April 16, 1980	Seaboard World Airlines, Inc. and Air Line Pilots Association
William Eaton*	San Francisco, CA	April 17, 1980	Hughes Airwest, Inc. and Air Line Pilots Association
William Eaton*	San Francisco, CA	April 17, 1980	Hughes Airwest, Inc. and Air Line Pilots Association
Thomas T. Roberts*	Rolling Hills, CA	April 22, 1980	Continental Airlines, Inc., and International Association of Machinists and Aerospace Workers
Norman Greer*	Los Angeles, CA	April 22, 1980	Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
Julius N. Draznin*	Marina Del Rey, CA	April 22, 1980	Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
Paul J. Fasser, Jr.*	Vienna, VA	April 23, 1980	Pan American World Airways, Inc. and Transport Workers Union of America
Robert LeProhn*	San Francisco, CA	April 23, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
Ernie Brasier*	San Antonio, TX	April 30, 1980	Southwest Airlines, Inc. and International Association of Machinists and Aerospace Workers
Two panels submitted on April 30, 1980; parties settled without arbitration			Southwest Airlines, Inc. and International Association of Machinists and Aerospace Workers
Howard S. Bloch*	Santa Ana, CA	April 30, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
Charles W. Steese*	Los Angeles, CA	April 30, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
Robert G. Meiners*	San Diego, CA	April 30, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
One panel submitted on April 30, 1980; with arbitrator to be selected			Transamerica Airlines, Inc. and Association of Flight Attendants
One panel submitted May 2, 1980; with arbitrator to be selected			Transamerica Airlines, Inc. and Association of Flight Attendants
Donald H. Wollett	Sacramento, CA	May 2, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
Adolph M. Koven	San Francisco, CA	May 6, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
Louis M. Zigman	Los Angeles, CA	May 6, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
William Eaton*	San Francisco, CA	May 6, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
One panel submitted on May 6, 1980, with arbitrator to be selected			Transamerica Airlines, Inc. and Association of Flight Attendants
Joe Henderson	Santa Rosa, CA	May 6, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
Leo Kotin	Studio City, CA	May 7, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
Leo Kotin	Studio City, CA	May 7, 1980	Transamerica Airlines, Inc. and Association of Flight Attendants
John P. Mead	Key Biscayne, FL	June 2, 1980	Dominicana De Aviacion and International Brotherhood of Teamsters
John E. Gorsuch*	Denver, CO	June 5, 1980	Alaska Airlines, Inc. and Air Line Pilots Association
Four panels of neutrals submitted on June 5, 1980; with arbitrator to be selected			Pan American World Airways, Inc. and International Brotherhood of Teamsters
Harold Kramer*	Miami Beach, FL	June 5, 1980	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Bernard A. Frank*	Miami Beach, FL	June 5, 1980	Pan American World Airways, Inc. and International Brotherhood of Teamsters
Howard G. Gamser	Washington, DC	June 6, 1980	Air Florida, Inc. and International Association of Machinists and Aerospace Workers
Two panels submitted on June 9, 1980; with arbitrator to be selected			Piedmont Airlines, Inc. and Association of Flight Attendants
Arthur Stark*	New York, NY	June 17, 1980	Pan American World Airways, Inc. and Flight Engineers' International Association
Four panels submitted on June 19, 1980, with arbitrator to be selected			Transamerica Airlines, Inc. and Air Line Pilots Association
John B. Lauritzen*	Palo Alto, CA	June 19, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
Robert G. Meiners*	San Diego, CA	June 19, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
Donald H. Wollett*	Sacramento, CA	June 19, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
David H. Stowe	Bethesda, MD	June 20, 1980	Ozark Airlines, Inc. and Aircraft Mechanics Fraternal Association
William Eaton*	San Francisco, CA	June 23, 1980	Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
Marshall Ross*	Del Mar, CA	June 23, 1980	Continental Airlines, Inc. and International Association of Machinists and Aerospace Workers
Francis R. Walsh*	San Francisco, CA	June 24, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
Robert A. Franden*	Tulsa, OK	June 30, 1980	Braniff International and Association of Flight Attendants
Tedford E. Schoonover*	Colorado Springs, CO	July 2, 1980	Alaska Airlines, Inc. and Air Line Pilots Association
Panel submitted on July 8, 1980; parties resolved dispute without arbitration			Tap-Air Portugal and International Brotherhood of Teamsters
William E. Fredenberger, Jr.**	Stafford, VA	July 15, 1980	Air Florida, Inc. and International Association of Machinists and Aerospace Workers
J.B. Gillingham*	Seattle, WA	July 15, 1980	Transamerica Airlines, Inc. and Air Line Pilots Association
Two panels submitted on July 15, 1980, with arbitrator to be selected			Transamerica Airlines, Inc. and Air Line Pilots Association
David H. Stowe	Bethesda, MD	July 15, 1980	Sabena Belgian World Airlines and Transport Workers Union of America
Panel submitted on July 16, 1980, with arbitrator to be selected			Pan American World Airways, Inc. and International Brotherhood of Teamsters
Lewis M. Gill*	Merion, PA	July 18, 1980	Reading Aviation, Inc. and United Automobile, Aircraft, Agricultural Implement Workers of America
Panel submitted on July 21, 1980, with arbitrator to be selected			Pan American World Airways and International Brotherhood of Teamsters
Paul D. Hanlon	Portland, OR	July 23, 1980	Continental Airlines, Inc. and Union of Flight Attendants
Emily Maloney	Santa Cruz, CA	July 24, 1980	Continental Airlines, Inc. and Union of Flight Attendants
Howard G. Gamser	Washington, DC	July 28, 1980	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
David H. Stowe**	Bethesda, MD	July 31, 1980	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers
Gladys W. Gruenberg*	St. Louis, MO	July 31, 1980	Mississippi Valley Airlines and International Association of Machinists and Aerospace Workers
Thomas Christensen*	New York, NY	July 31, 1980	Pan American World Airways, Inc. and Transport Workers Union of America
Arthur Slark*	New York, NY	July 31, 1980	Pan American World Airways and Transport Workers Union of America
Robert M. O'Brien	Boston, MA	July 31, 1980	Pan American World Airways and Transport Workers Union of America
Nicholas H. Zumas*	Washington, DC	July 31, 1980	Pan American World Airways and Transport Workers Union of America
Laurence E. Seibel*	Washington, DC	Aug. 18, 1980	Airlift International, Inc. and Air Line Pilots Association
Anne H. Woolf*	Norman, OK	Aug. 19, 1980	Braniff International and Association of Flight Attendants
Gladys W. Gruenberg*	St. Louis, MO	Aug. 19, 1980	Braniff International and Association of Flight Attendants
Panel submitted on August 19, 1980; with arbitrator to be selected			Transamerica Airlines, Inc. and Air Line Pilots Association
Charles M. Rehmus	New York, NY	Aug. 19, 1980	Sabena Belgian World Airlines and Transport Workers Union of America
Preston J. Moore*	Oklahoma City, OK	Aug. 19, 1980	Southwest Airlines and International Association of Machinists and Aerospace Workers
James C. Vadakin*	Coral Gables, FL	Aug. 19, 1980	Eucatoriana Airlines and International Association of Machinists and Aerospace Workers
Three panels submitted on August 19, 1980 with arbitrator to be selected			Pan American World Airways and International Brotherhood of Teamsters
Richard R. Kasher*	Bryn Mawr, PA	Aug. 19, 1980	Pan American World Airways and International Brotherhood of Teamsters
Richard R. Kasher	Bryn Mawr, PA	Aug. 20, 1980	Sabena Belgian World Airlines and Transport Workers Union of America
David H. Stowe	Bethesda, MD	Aug. 20, 1980	Sabena Belgian World Airlines and Transport Workers Union of America
Geraldine M. Randall*	San Rafael, CA	Aug. 25, 1980	Alaska Airlines, Inc. and Association of Flight Attendants



**5. Referees Appointed—System Boards of Adjustment, October 1, 1979 to September 30, 1980—Continued**

Name	Residence	Date of Appointment	Parties
Paul D. Hanlon	Portland, OR	Aug. 26, 1980	Alaska Airlines and International Association of Machinists and Aerospace Workers
Panel submitted on August 26, 1980; dispute settled without arbitration			Prinair and International Association of Machinists and Aerospace Workers
Panel submitted on September 3, 1980; dispute settled without arbitration			Pan American World Airways and Transport Workers Union of America
Panel submitted on September 3, 1980; dispute settled without arbitration			Transamerica Airlines, Inc. and Air Line Pilots Association
Richard R. Kasher* and **	Bryn Mawr, PA	Sept. 5, 1980	Reading Aviation, Inc. and United Automobile, Aircraft, Agricultural Implements of America
David H. Stowe	Bethesda, MD	Sept. 8, 1980	Ozark Air Lines, Inc. and Aircraft Mechanics Fraternal Association
Preston J. Moore*	Oklahoma City, OK	Sept. 8, 1980	Southwest Airlines, Inc. and International Association of Machinists and Aerospace Workers
Herbert L. Marx, Jr.*	New York, NY	Sept. 11, 1980	Pan American World Airways, Inc. and Transport Workers Union of America
Ida Klaus*	New York, NY	Sept. 16, 1980	Seaboard World Airlines, Inc. and Air Line Pilots Association
James J. Sherman	Tampa, FL	Sept. 18, 1980	Eastern Airlines, Inc. and Transport Workers Union of America
Thomas T. Roberts*	Rolling Hills Estates, CA	Sept. 19, 1980	Ecuatoriana de Aviacion and International Association of Machinists and Aerospace Workers
John P. Mead*	Key Biscayne, FL	Sept. 19, 1980	Ecuatoriana de Aviacion and International Association of Machinists and Aerospace Workers
James C. Vadakin*	Coral Gables, FL	Sept. 19, 1980	Ecuatoriana de Aviacion and International Association of Machinists and Aerospace Workers
Tedford E. Schoonover	Colorado Springs, CO	Sept. 23, 1980	Alaska Airlines and International Association of Machinists and Aerospace Workers
Irving T. Bergman	Mineola, NY	Sept. 23, 1980	Pan American World Airways and Transport Workers Union of America
Panel submitted on September 23, 1980; dispute cancelled by parties			Pan American World Airways and Transport Workers Union of America
Emily Maloney*	Santa Cruz, CA	Sept. 26, 1980	Alaska Airlines, Inc. and International Association of Machinists and Aerospace Workers

\* Selected from panel submitted by National Mediation Board

\*\* Former neutral resigned

**5a. Arbitrators Appointed—CAB Labor Protective Provisions, October 1, 1979 to September 30, 1980**

Name	Residence	Date of Appointment	Parties
Panel submitted on January 29, 1980 but parties settled without arbitration			Republic Airlines, Inc. and Association of Flight Attendants
Panel submitted on April 16, 1980 but parties have not selected an arbitrator			Republic Airlines, Inc. and Joan Esser
Panel submitted on May 30, 1980 but parties have not selected an arbitrator			Republic Airlines, Inc. and International Association of Machinists and Aerospace Workers
Richard R. Kasher*	Bryn Mawr, PA	June 6, 1980	Pan American World Airways-National Airlines, Inc. and Independent Union of Flight Attendants (Integration of Seniority Lists of Flight Attendants)
Panel submitted on June 27, 1980 but parties have not selected an arbitrator			Pan American World Airways-National Airlines, Inc. and William L. McKendree
David H. Stowe*	Bethesda, MD	Aug. 21, 1980	Pan American World Airways-National Airlines, Inc. and Transport Workers Union of America (Integration of Seniority Lists of Mechanics and Ground Service Employees)
Panel submitted on April 29, 1980 but parties settled without arbitration			Pan American World Airways-National Airlines, Inc. and International Brotherhood of Teamsters (Integration of Seniority Lists of Clerical and Related Employees)
Laurence E. Seibel*	Washington, DC	September 9, 1980	Flying Tiger Lines, Inc.-Seaboard World Airlines, Inc. and the Air Line Pilots Association and International Brotherhood of Teamsters (Integration of Seniority Lists of Flight Deck Operating Crew Members)
Panel submitted on September 22, 1980 but parties have not selected an arbitrator			Pan American World Airways-National Airlines, Inc. and Transport Workers Union of America and the International Brotherhood of Teamsters (Integration of Ramp and Station Agents Seniority Lists)

\*Selected from panel submitted by National Mediation Board

**5b. Neutrals Appointed Pursuant to Interstate Commerce Commission's Orders, October 1, 1979 to September 30, 1980**

Name	Residence	Date of Appointment	Parties
Joseph A. Sickles	Bethesda, MD	Oct. 15, 1979	Southern Pacific Transportation Company and United Transportation Union—ICC Decision No. AB-12(Sub. No. 20)—Abandonment
Richard R. Kasher	Bryn Mawr, PA	Feb. 4, 1980	Illinois Central Gulf Railroad Co. and United Transportation Union—ICC Docket No. AB-43 (Sub. No. 52F)—Abandonment
Arthur T. Van Wart	Wilmington, DE	Apr. 15, 1980	Chesapeake and Ohio Railway Co. and Masters, Mates and Pilots (Great Lake District—ICC Docket No. AB-18—Sub. No. 21)—Abandonment
Arthur T. Van Wart	Wilmington, DE	Apr. 14, 1980	Chesapeake and Ohio Railway Co. and National Maritime Union of America (ICC Docket No. AB-18—Sub. No. 21)—Abandonment
Arthur T. Van Wart	Wilmington, DE	Apr. 14, 1980	Chesapeake and Ohio Railway Co. and Great Lakes Licensed Officers Organization (ICC Docket No. AB-18 (Sub. No. 21)—Abandonment
Neil P. Speirs	Rohnert Park, CA	June 19, 1980	Denver and Rio Grande Western Railroad Company and International Association of Machinists and Aerospace Workers; United Transportation Union (C&T); International Brotherhood of Firemen and Oilers; Sheet Metal Workers International Association; Brotherhood of Locomotive Engineers; Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, Allied Service Division; Dining Car Employees Union; United Transportation Union (E); American Train Dispatchers Association; Brotherhood of Maintenance of Way Employees; United Transportation Union (S); International Brotherhood of Electrical Workers; Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, Sleeping Car Porters Division; Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees; Railroad Yardmasters of America; Brotherhood of Railroad Signalmen; and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers. ICC Finance Docket No. 29096—Durango and Silverton Narrow Gauge Railroad Co.
David H. Stowe	Bethesda, MD	July 2, 1980	Burlington Northern, Inc.-St. Louis-San Francisco Railway Company and Brotherhood Railway Carmen of the United States and Canada; International Brotherhood of Electrical Workers; International Brotherhood of Firemen and Oilers; International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers. ICC Finance Docket No. 28583—Merger
Francis X. Quinn	Longport, NJ	Aug. 19, 1980	New York Dock Railway Company and Brotherhood of Locomotive Engineers—ICC Finance Docket No. 28250, Appendix III, New York Dock Railway—Control—Brooklyn Eastern District Terminal
Irwin M. Lieberman	Stamford, CT	Aug. 28, 1980	Illinois Central Gulf Railroad Company and United Transportation Union—ICC Docket No. AB-43 (Sub. No. 47)—Abandonment

**6. Neutral Referees Appointed Pursuant to Public Law 91-518—Rail Passenger Service Act of 1970 (Amtrak), October 1, 1979 to September 30, 1980**

Name	Residence	Date of Appointment	Amtrak No.	Parties
Jacob Seidenberg	Falls Church, VA	Dec. 18, 1979	24-11	Chesapeake and Ohio Railway Company and Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees

**7. Arbitrators Appointed—Regional Rail Reorganization Act of 1973 (Con Rail), October 1, 1979 to September 30, 1980**

Name	Residence	Date of Appointment	Individuals Involved	Con Rail No.
Charles M. Rehms*	Ann Arbor, MI	Oct. 16, 1979	Donald L. Nelson (Monthly Displacement Allowance)	18
Bernard Cushman*	Silver Spring, MD	Dec. 19, 1979	Charles W. Walsh (Title V Fringe Benefits)	19
William M. Edgett**	Ellicott City, MD	April 2, 1980	Charles W. Walsh (Title V Fringe Benefits)	19
William H. Coburn*	Alexandria, VA	April 16, 1980	D. F. Steimling (Monthly Displacement Allowance)	20
David H. Stowe*	Bethesda, MD	May 2, 1980	Samuel Wenzel (Highest available position commensurate with his qualifications and seniority)	21
William H. Coburn*	Alexandria, VA	June 30, 1980	A.E. Finrock (Separation Allowance)	22
Gladys Gershenfeld	Flourtown, PA	Sept. 16, 1980	W.M. Spain (Monthly Displacement Allowance)	23

\* Selected from panel submitted by National Mediation Board

\*\* Former Neutral Resigned

**7a. Arbitrators Appointed Regional Rail Reorganization Act of 1973—Pennsylvania Truck Lines, Inc.  
October 1, 1979 to September 30, 1980**

Name	Residence	Date of Appointment	PTL No.	Individuals Involved
No Panel ever submitted	—	—	3	George Parisien (Monthly Displacement Allowance)
Howard G. Gamser*	Washington, DC	Oct. 18, 1979	4	James Mathews (Title V. Benefits)
Lewis M. Gill*	Merion, PA	June 18, 1980	5	Maurice A. Jones (Monthly Displacement Allowance)
Panel submitted on June 30, 1980 but no arbitrator selected			6	Arthur Doubrava (Monthly Displacement Allowance)
Panel submitted on July 7, 1980			7	Joseph Clarino, Vincent McLaughlin, Peter Eckhardt (Title V. Benefits)
Second Panel submitted on July 30, 1980				
William E. Fredenberger, Jr.	Stafford, VA	Sept. 30, 1980	7	Joseph Clarino, Vincent McLaughlin, Peter Eckhardt (Title V. Benefits)
William M. Edgett*	Ellicott City, MD	Aug. 26, 1980	8	Laura J. Bozeman (Title V. Benefits)

\*Selected from panel submitted by National Mediation Board

**7b. Arbitrators Appointed Regional Rail Reorganization Act of 1973—National Railroad Passenger Corporation (Amtrak),  
October 1, 1979 to September 30, 1980**

Name	Residence	Date of Appointment	Parties
Arthur T. Van Wart*	Wilmington, DE	June 23, 1980	Former Non-Contract Employee (Northeast Corridor)

\*Selected from panel submitted by National Mediation Board





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### ACKNOWLEDGMENT

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