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Airline Experience under the Railway Labor Act

BULLETIN 1683
U. S. DEPARTMENT
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LABOR STATISTICS



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BULLETIN 1683

U.S. DEPARTMENT OF LABOR
J. D. Hodgson, Secretary

BUREAU OF LABOR STATISTICS
Geoffrey H. Moore, Commissioner



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Preface

This bulletin provides a descriptive and statistical account of the industrial relations, mediation, work stoppage, and emergency dispute experience of the airlines under the Railway Labor Act. Published and unpublished records were utilized to conduct a more comprehensive analysis than had been available to date.

The definition of this major industry group (air transportation industry) covered by the Railway Labor Act conforms to major group classifications 4511 and 4521 in the *Standard Industrial Classification Manual*, 1967 edition, issued by the Bureau of the Budget.

This bulletin was prepared in the Bureau's Division of Industrial Relations, Office of Wages and Industrial Relations, by Michael H. Cimini under the supervision of Albert A. Belman. The cooperation of the National Mediation Board in the preparation of Chapter V is gratefully acknowledged.

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Airline Experience Under The Railway Labor Act

Chapter I. The Airline Industry

Introduction

The commercial movement of passengers and goods by scheduled airlines in the post-war period is a history of constant technological change which resulted in rapid growth and an increasing share of an expanding transportation market. From 1949, the number of jobs in flight-related as well as ground occupations increased 410 percent, to 312,000 in 1969. In the same period, scheduled carriers were required to add 1,332 aircraft to their fleets in order to meet the demand. The magnitude of these operations is best illustrated by the 125 billion revenue passenger miles, 1.33 billion U.S. mail ton miles, and 4.7 billion cargo ton miles flown in 1969.

Under the Civil Aeronautics Board (CAB) classification, the industry is composed of nine main groupings.¹ This examination of the experience of airlines under the Railway Labor Act (RLA) is confined principally to the largest and most important group, the domestic trunk carriers, although analysis of airline mediation cases and work stoppages include all scheduled airline operations. Domestic trunk carriers employ approximately 80 percent of the industry's personnel and account for 60 percent of total revenue ton miles.

Nature of the industry

In the airline industry, labor and management bargain in an atmosphere constrained by Federal legislation and regulations which are not found in most other industries. The special characteristics of the air carrier industry have had an immediate and direct influence on its labor-management negotiations. When the government began to regulate air transportation, it became, in effect, responsible for the performance of the industry in several areas, one of which was industrial relations. To highlight the

effects of government intervention on the industrial relations environment in the airline industry, the following section briefly describes government regulation of collective bargaining and of related areas.

Industrial relations regulations

As early as the 1930's, government labor regulations were an influential force in labor-management relations of the airlines industry; they superimposed upon the parties a framework for collective bargaining. In 1934, National Labor Board (NLB) Decision No. 83 established minimum wages, maximum hours, and working conditions for pilots. With the extension of the Railway Labor Act to the airline industry in 1936, a detailed bargaining procedure was added to lessen the incidence of labor-management disputes. (See chapter IV, "Legal Framework of the RLA".)² Moreover, the Civil Aeronautics Act of 1938 (CAA) required airlines to comply with the provisions of the RLA in order to secure and to retain route certificates. Nine years later, the Civil Aeronautics Board (CAB) ruled that multi-unit bargaining could not be imposed unilaterally, but must be agreed to by all the parties.³ In 1958 the Federal Aviation Act (FAA) reiterated the CAA policies requiring the carriers to comply with the provisions of the RLA and NLB Decision No. 83, as well as empowering the CAB to control entrance into the airline industry by issuing certificates of public convenience and necessity.

¹ These carrier groupings are domestic trunk, domestic local service, helicopter, intra-Alaska, intra-Hawaiian, all cargo, international and territorial, supplemental, and intrastate.

² Title II, the 1936 Amendment to the Railway Labor Act, Congress of the United States. In U.S., 49 Stat. 1921, ch. 166, 74th Cong. (1936), Sec. 201.

³ 8 CAB 354 (1947).

Industrial organization and reorganization

The CAB also regulates the organization and reorganization of the industry with regard to sales and purchases of routes, acquisitions, consolidation of facilities, and exchange of equipment and personnel. All of these economic activities are predicated on increasing the carrier's market share or on increasing economies and decreasing costs. At the same time, these activities constitute a persistent source of job insecurity and require the CAB to take steps to mitigate the hardships involved and to protect adversely affected personnel.⁴

In the three decades since 1938, 39 mergers and acquisitions of certified route air carriers were approved by the CAB. Many factors operated interdependently to produce these reorganizations, among which were: Degree of competition on major routes, overcapacity, inefficiency, overcrowded or uneconomic routes, increasing size and costs of new aircraft, rising break-even traffic requirements, and labor-management disputes. In the eyes of one observer, CAB policy over the years has been to favor the less efficient and smaller carriers and to approve mergers only as a last resort.⁵

Subsidies

Another facet of government regulation, direct Federal subsidies, are administered by the CAB and currently are allotted primarily to the small regional airlines that serve areas where the traffic does not generate revenue sufficient to fully support air services. Subsidies appear to exert an influence on collective bargaining, especially on the regional carriers' negotiations. A carrier, in signing a labor agreement that provides costly work rules or high wages and fringe benefits, may assume that the CAB will subsidize the consequences of this negotiation.⁶ Subsidies, therefore, may weaken a carrier's resolve to undergo a strike and, thus, strengthen the unions' bargaining position in a dispute.

Air safety regulations

During most of the air transportation industry's history, the CAB issued and enforced safety regulations, three aspects of which affect the working environment of airline employees. First, the CAB was authorized by the CAA to issue certificates for skilled air transportation crafts. Usually, unions have

advocated high personnel qualifications, because this tended to insure skilled workers and to increase the organizations' bargaining power and security. A second and related responsibility of the CAB was to establish the type, number, and grade of certified airmen required to safely maintain airline operations. The implementation of this responsibility by the Board, in effect, created "crafts" and, thus, unions, e.g., flight engineers (FEIA), by Civil Air Regulation (C.A.R.) 41 and 61, airline dispatchers (ALDA) by C.A.R. 27, etc.⁷ On other occasions, the Board's rulings were instrumental in eliminating or lessening the influence of certain crafts (unions), e.g., nonflight navigators (TWU), radio operators (ALCEA), flight engineers (FEIA), etc. Third, the CAB was empowered by Section 60l of the CAA to establish operating regulations concerning construction, aircraft performance standards, maximum flight hours, inspection and maintenance rules, and other matters affecting safety.

With the passage of the Federal Aviation Act of 1958, the control of the CAB safety regulations was assigned to the Administrator of the Federal Aviation Agency. Thus, this agency administers the safety provisions of the act by issuing certificates which continue to influence labor-management relations.

Air flight service operations

Like other common carriers, continuous operation characterizes the service that the airlines offer their customers. This type of operating schedule makes unusual demands on employees, especially flight personnel. Actual operations requiring many changes in flight schedules are a constant battle between the weather and man and machine, in turn, affect wages, hours, and working conditions of workers, again especially the flight employee groups. Usually the operations are spread over a vast area; often small groups work with minimal or no immediate supervision. These operations require sizeable numbers

⁴ CAB Docket No. 2839, September 29, 1947.

CAB Order No. E-5894, November 27, 1951.

CAB Opinion and Order No. E-2760, April 28, 1949.

⁵ Edward B. Shils, "Industrial Unrest in the Nation's Air-line Industry," *Labor Law Journal*, Vol. 15, No. 3, March 1964, p. 150.

⁶ John Baitzell, *Airline Industrial Relations: Pilots and Flight Engineers*, Cambridge, Harvard University (1966), p. 333.

⁷ In the 1948 ruling that created the "class" of flight engineers, the CAB set the stage for the jurisdictional disputes of the 1950-60's between FEIA and Pilots' Association (ALPA).

of specialized and sometimes nontransferable skills. All these conditions help to shape labor-management relations in the industry.

Competition

Although tariff rates and entrance in to the industry,⁸ two primary sources of competition, are regulated by the CAB, commercial airlines view the market for their product as being highly competitive for the following reasons:

(1) Alternative systems of transportation are close substitutes and competitively priced, and the long-run demand for airline services may be price elastic.

(2) The CAB has adopted the policy of certifying two air carriers or more to service all major intercity routes.

(3) Differences in operating problems (routes, costs, investments, management, etc.) create an atmosphere conducive to competition.

Nonprice competition is based essentially on better service, new aircraft, and other flight equipment. New developments often are opposed by unions, but any subsequent productivity gains are usually cited to support wage increases. "There has been no more important characteristic of the airline industrial relations scene in recent years than the continual drive of the flight crew unions for a share of increased productivity of new flight equipment."⁹ If labor costs are as large a percent of total operating expenses as they appear to be, especially in light of the tremendous capital outlays of the industry, and if the demand for airline services is fairly elastic, then a change in one carrier's labor costs can directly influence his competitive position vis-a-vis other airlines.¹⁰ For this reason, management feels the necessity of securing or preserving a competitive edge in their collective bargaining negotiations.

Nature of the product

The air transportation industry produces a commodity which is "time sensitive," that is, services are "perishable" in the sense that they cannot be stored or inventoried. Moreover, much of the demand for this particular service appears to be elastic and not deferrable. When the airlines lose revenue (sales) during a strike, it may be "lost forever", because the

consumers may patronize other air carriers or use other modes of transportation. Obviously, this situation increases the potency of the strike. A recognition of this fact is evident in the formation of the Mutual Aid Pact discussed in the next chapter.

Technological change

As in other industries, technological changes often create problems for both management and employees. Airlines must cope with difficulties relating to investment and debt, mergers, obsolescence, overcapacity, and labor relations; unions must contend with the problems of job security, union security, layoffs, and related matters. Besides modifying job composition and content, technological change creates jobs and destroys or threatens the continuance of older crafts.¹¹

Three distinct periods of aircraft technological changes have occurred: The first from 1936 to 1947, when the DC-3's and other two-engine piston aircraft (Boeing 307) were developed; the second from 1948 to 1958, with the appearance of larger, faster four-engine piston aircraft, such as the DC-6, and the third from 1959 to the present, when the first turbojets, such as the DC-8, were introduced into service.

Accompanying these phenomena since the late 1940's has been the recurrent pattern of alternating leaps and lags between traffic and capacity, symbolic of the dynamic nature of the industry. For 1949-51, 1955-56, 1959, and 1963-66, the traffic growth rate (as measured by year-to-year percent change in revenue passenger miles) exceeded the capacity growth rate (as measured by year-to-year percent change in available seat miles), while capacity grew faster than traffic for 1952-54, 1957-58, 1960-62, and 1967-69.¹²

In the current decade, overcapacity could continue to pose problems with the advent of the "jumbo jets" which will be fully operative in 1970. The Boeing 747 was the first to enter service and can carry more than 355 passengers, two and one-half times the present load capacity of the Boeing 707. By 1973,

⁸ The CAB establishes uniform rates for each class of service and determines the number of sellers in the market by means of certificates of necessity and convenience.

⁹ John A. Baitsell, *op. cit.*, p. 49.

¹⁰ In 1967, according to FAA data, payroll constituted over 55 percent of total operating expenses.

¹¹ Examples would include flight engineers, nonpilot navigators, flight radio operators, etc.

¹² Air Transport Association data.

250-300 passenger flight aircraft could become common with the introduction of the McDonnell-Douglas DC-10, the Lockheed 1011, and the European "Airbus" in daily service. The president of the International Air Transport Association warns that new orders of these jumbo jets will increase the "capacity of our members which exceeds the anticipated growth of our traditional market."¹³

During most of the post-World War II period, traffic and revenues increased appreciably, but total employment in the industry did not rise at a comparable rate, as reflected in average annual percent change:

	1947-57	1957-62
Employment	6.1	3.9
Revenue-ton miles	15.8	8.8

SOURCE: Data on revenue-ton miles, CAB.

In some short-run periods, employment decreased for the industry as a whole. For example, ATA records indicated a decrease or stabilization in total

employment in the scheduled airline industry between 1942 (39,713 workers employed) and 1943 (39,279); between 1946 (96,554), 1947 (85,152), 1948 (84,608), 1949 (80,994); and between 1957 (147,170) and 1958 (147,150). During the last decade, however, employment rose from 166,000 to 312,000.

During periods of innovation, such as the conversion to jet fleets, employment for particular crafts in some years decreased for the certified domestic air carriers. Evidently, flight crews (pilots and flight engineers) bore most of the burdens of technological change (unemployment) in this period but the effect varied from carrier to carrier. Domestic trunk air carriers with long-range routes probably were less affected than those with short-range routes. Apparently, the growth of regional carriers balanced the adverse effects of the introduction of jet aircraft upon domestic trunk line employment.

¹³ *New York Times*, Oct. 20, 1969, p. 81-M.

Chapter II. Collective Bargaining in the Airline Industry

Until the passage of Title II of the Railway Labor Act in 1936, there were few successful efforts to organize airline employees. Pilots, who were the first craft to attempt organization, were unsuccessful for 11 years before forming the Air Line Pilots Association (ALPA) in 1930. In the next 2 years, ALPA organized approximately 75 percent of the pilots employed by the principal U.S. air carriers. During this period, airline management actively opposed union organization; but the pilots used both economic and political means to maintain and to augment their power and representation rights. Moreover, favorable Federal agency decisions and legislative actions in the early 1930's, such as the NLB Decision No. 83, and the Airmail Act of 1934 (which enforced the wage payment system established by Decision No. 83), supplemented the benefits and concessions ALPA was winning at the bargaining table.

Simultaneously with the organization of airline pilots, airline ground mechanics were organizing along craft lines. By June 1937, the National Mediation Board (NMB) recorded four labor agreements signed by the principal airlines, two of which covered mechanics: One at American Airlines, signed with the Air Line Mechanics Association; the other at Transcontinental and Western Air (TWA), negotiated by a system association.

In 1938, the NMB recorded 10 contracts negotiated by mechanic groups, four by radio operators, and two by clerical, office, station and storehouse employees. Interestingly, ALPA had not yet negotiated a collective bargaining agreement with any airline; but it and one carrier did sign an agreement creating a "temporary joint board of review to consider an acute issue" which arose between the parties.¹⁴ Finally, in May 1939, ALPA negotiated its first agreement, with American Airlines.

By mid-1942, only two crafts were highly organized, the pilots (17 agreements with the principal U.S. airlines) and the mechanics (20 contracts). Organization of other groups of workers was not very extensive. Airline radio operators were signatories to seven agreements; stewards and stewardesses to

three contracts; and clerical, office, station and storehouse employees to seven contracts. The five remaining groups together were covered by seven contracts.

During this early period, the NMB played an active role in collective bargaining. In building a new collective bargaining agreement structure, labor and management often reached an impasse in negotiations and invoked the mediatory services available under the act. With the assistance of the Board, initial agreements were consummated, which provided a foundation for subsequent agreements, many reached without the aid of the Board.

By the end of World War II, the tempo of organizing activity increased substantially, especially among crafts not previously represented—dispatchers, stores, cargo, commissary, plant maintenance, watchmen, guards, and clerical. Problems relating to the solution of representation disputes arose as these organizational activities occurred, especially in the classification of various groups. Previously, few difficulties were encountered since formal determination by the NMB was not required for pilots, flight engineers, stewardesses, or airline dispatchers who had secured their representation rights mainly by means of collective bargaining and voluntary association.

In the postwar period, however, formal determination for ground personnel proved necessary, especially for storeroom and stockroom employees, cargo and ramp service workers, and clerical and office employees. A large number of jurisdictional cases occurred between 1946 and 1948 which involved disputes between national airline unions competing for the right to represent certain groups of mechanics, radio and teletype operators, stewards and stewardesses, and other employees who were already organized. For instance, NMB records indicated 96 airline representation cases between 1946 and 1948.

¹⁴ *Fourth Annual Report of the National Mediation Board* (Fiscal Year ending June 30, 1938), pp. 4-7.

Unstable industrial relations, characteristic of the postwar adjustment period, developed in the late 1940's and early 1950's. As the cost of living and the pace of technology increased appreciably, the airline unions sought wage and rule concessions. Management, confronted by these demands and facing set tariff and other constraints, vigorously resisted. Threats of strikes and actual strikes were numerous during this period. Bureau of Labor Statistics records indicated that 32 work stoppages occurred at scheduled airlines covered under the RLA between 1946 and 1953.

By the late 1950's and early 1960's, technological change shifted the emphasis in collective bargaining and in labor disputes to the area of work rules, job security, severance pay, and related matters. With the advent of the jet in 1958, jurisdictional disputes between ALPA and the Flight Engineers International Association (FEIA) led directly or indirectly to the appointment of nine emergency boards. The issues in disputes revolved around whether the "third-seat in the cockpit" was to be occupied by flight personnel with pilot training or flight personnel with mechanical engineering qualifications.

Moreover, 4 of the 6 remaining emergency boards created during this 5-year span (fiscal years 1958 through 1962) dealt with anticipated or realized effects of technological change upon wages and job security. In the dispute leading to Emergency Board No. 122, for example, one of the major problems was the granting of severance pay in case of layoffs resulting from technological change. (See appendix 7 and table 5.) Similar fears relating to the effects of the new jet aircraft on employment, wages, and working conditions generated the Transport Workers Union—Pan American dispute in 1958-59, which required the establishment of Emergency Board No. 125. In the same manner, the introduction of advanced navigational aids precipitated the navigators TWU—TWA emergency board in late 1961. Lastly, the members of Emergency Board No. 124 concluded that one of the main reasons for the impasse in collective bargaining between the parties (ALPA and American Airlines) was whether the issue of the anticipated placement of turbine powered planes in service was a proper subject for negotiations.

More recent labor-management "national emergency" disputes have indicated a return to economic issues. During the 7 fiscal years, 1962 to 1968, with the development of a more favorable economic climate, seven emergency boards were created to deal with disputes concerning adjustments in wages. In each of

these, the unions fought for and, to a considerable extent, won increased wages and supplementary benefits.

This general outline of the industry's collective bargaining history overlooks many distinctive features in the labor-management relationship. Because the industry is young and very dynamic even after 40 years, definitive generalizations concerning the structure of collective bargaining are difficult to arrive at as illustrated by this statement in the early 1960's which is still applicable today:

The airline collective bargaining structure has not yet fully developed. Accordingly, it cannot be said that there is any definite pattern and distribution of decision-making within the structure. Nor have either the unions or management evolved a collective bargaining system that is generally followed to establish the power balance in collective bargaining.¹⁵

Yet, some tendencies are evident; a limited discussion follows on the more salient elements: The nature of the bargaining unit; union organization; multiple unionism; single-unit bargaining; the forces leading to multi-unit negotiations; and bargaining coordination by management and unions.

Collective bargaining unit

Unlike most other industries, the collective bargaining structure in the airline industry was decided legislatively on the "craft" or "class" principle, rather than internally. Additionally, there are other considerations in determining the bargaining unit, including ". . . (the) extent and effectiveness of past collective bargaining arrangements, the functions, duties, and responsibilities of the employees, the general nature of their work and the community of interests existing between jobs . . . (and) previous decisions of the Board which bear upon the issues of the particular dispute."¹⁶ The rigid application of the "craft" principle to the air transportation industry, coupled with the "majority rule,"¹⁷ predetermined the structural form of union

¹⁵ Charles Mason, *op. cit.*, p. 237.

¹⁶ *Fourteenth Annual Report of the National Mediation Board*, Fiscal Year ending June 30, 1948, p. 7.

¹⁷ "In conducting representation elections, the Board has for many years followed a policy of declining to certify representation in cases where less than a majority of the eligible voters participated by casting valid ballots . . ."

organization, at least in the earlier years, and resulted in "fragmented craft unionism," rather than organization along industrial lines:

Certainly the development of the many fragmented craft unions in the airlines resulted from the experience of the National Mediation Board in dealing with fragment craft unions in the railroad industry. It can be safely assumed that the National Mediation Board did nothing to create a context in which an industrial-type union might thrive.¹⁸

Union organization

Generally, then, the airline unions are organized by craft, the two major exceptions being International Association of Machinists and TWU. As table 1 demonstrates, IAM represents various classes or crafts and is especially strong among the mechanics and stock and stores employees, less among the clerical and related, and even less among the flight engineers. TWU also represents employees in several crafts or classes, such as flight navigators, flight dispatchers, stewardesses and pursers, radio and teletype operators, mechanics, clerical and related, and stock and stores.¹⁹

Historically, other unions attempted industrial organization, the most prominent example being ALPA. In the late 1940's, ALPA pursued a policy of establishing affiliates to represent all the major crafts or classes. During the succeeding years, ALPA certified affiliates, such as the Airline Stewards and Stewardesses Association, the Air Carrier Communication Employees Association, the Air Carriers Flight Engineers Association, the Air Line Agents Association; but, by the early 1960's, many of the affiliates had been absorbed by other national or local unions.²⁰ Presently, flight personnel crafts (flight engineers, pilots and co-pilots, and stewardesses and pursers) constitute the main elements of ALPA's bargaining strength. In only one classification outside of the flight personnel groups does ALPA still exert an influence, that of clerical, office, stores, fleet and passenger service which is organized by ALPA's affiliate, the Air Line Employees Association.²¹

The extent of organization varies among the different crafts and the various carriers. While flight personnel (stewards, stewardesses, and pursers; pilots; and other flight deck personnel), communication groups, and mechanics are highly unionized, the aircraft and traffic service personnel, office employees, and other airline employees groups have considerably less representation.²² It appears also that representa-

tion differs among carriers and varies directly with the size of the airline—Pan American, the domestic trunk lines, and the regional carriers are more highly unionized than unscheduled or other scheduled air carriers. Unionization as a percent of total employment in 1961 was estimated at:²³

United	64.4
American	54.4
Eastern	55.0
TWA	52.3
Pan American	63.8
Braniff	88.5
Northwest	70.3
Continental	52.9
National	85.8

Multiple unionism

Currently, the NMB distinguishes between nine major employee representation classifications. (See table 1.) The majority of these crafts or classes are represented by a particular union, and most airlines bargain with a number of unions representing various employee groups. A number of airlines deal with as many as five or six different unions. With all the collective bargaining agreements, negotiation conferences, contract expiration dates, and jurisdictional and representation disputes that each carrier must deal with, the probabilities of continuously harmonious industrial relations are relatively low.

Single-unit bargaining

Collective bargaining in the airline industry has been distinguished by the tendency of the parties

¹⁸ Edward B. Shils, *op. cit.*, p. 156.

¹⁹ A relative newcomer to the airline industrial relations scene, the International Brotherhood of Teamsters (IBT) has challenged the existing organizations and has won representation rights for Western's mechanics and stock and stores; Flying Tiger's flight engineers and stewardesses and pursers; Braniff's and Pan American's stock and stores and clerical, office, stores, fleet and passenger service; Ozark's stock and stores and radio and teletype operators; and Los Angeles Airway's stock and stores employees.

²⁰ Charles Mason, *op. cit.*, p. 235.

²¹ Before Nov. 1, 1960, ALEA was named Air Line Agents Association (ALAA).

²² Baitzell, *op. cit.* 1966. The author estimated that slightly under 50 percent of all employees of the domestic passenger/cargo carriers are represented by a union.

²³ CAB, Docket 35, 9977 "Joint Exhibits of the Airline Parties," Exhibit 10.

Table 1. Employee representation on selected air carriers by occupational group,¹ as of June 30, 1969

Airline	Pilots	Flight engineers	Flight navigators	Flight dispatchers	Stewardesses and pursers	Radio and teletype operators	Mechanics	Clerical, office, stores, fleet and passenger service	Stock and stores
	Union								
Air West, Inc. . . .	ALPA	-	-	ALDA	ALPA	-	IAM & AW	ALEA	IAM & AW
Allegheny Airlines, Inc.	ALPA	-	-	LU ²	ALPA	-	IAM & AW	-	IAM & AW
American Airlines, Inc.	APA ³	FEIA	-	ALDA	TWU	TWU	TWU	TWU	TWU
Braniff International	ALPA	-	-	ADA ⁴	ALPA	CWA	IAM & AW	IBT	IBT
Central Airlines, Inc.	ALPA	-	-	ALDA	ALPA	-	IAM & AW	ALEA	IAM & AW
Continental Airlines, Inc.	ALPA	-	-	ALDA	ALPA	-	IAM & AW	IAM & AW	IAM & AW
Delta Air Lines, Inc.	ALPA	-	-	ALDA	-	-	-	-	-
Eastern Air Lines, Inc.	ALPA	ALPA	-	ALDA	TWU	CWA	IAM & AW	IAM & AW	IAM & AW
Flying Tiger Lines, Inc.	ALPA	IBT	TWU	ALDA	IBT	-	IAM & AW	IAM & AW	IAM & AW
Frontier Airlines, Inc.	ALPA	-	-	ALDA	ALPA	-	IAM & AW	ALEA	IAM & AW
Los Angeles Airways, Inc.	ALPA	-	-	ALDA	ALPA	-	IAM & AW	IAM & AW	IBT
Mohawk Airlines, Inc.	ALPA	-	-	ALDA	ALPA	-	IAM & AW	-	IAM & AW
National Airlines, Inc.	ALPA	FEIA	-	ALDA	ALPA	CWA	IAM & AW	ALEA	IAM & AW
North Central Airlines, Inc.	ALPA	-	-	ALDA	ALPA	-	IAM & AW	ALEA	IAM & AW
Northeast Airlines, Inc.	ALPA	-	-	ALDA	TWU	TWU	IAM & AW	TWU	(⁵)
Northwest Airlines, Inc.	ALPA	IAM & AW	TWU	ALDA	TWU	TWU	IAM & AW	BRAC	IAM & AW
Ozark Air Lines, Inc.	ALPA	-	-	ALDA	ALPA	IBT	AMFA ⁶	IAM & AW	IBT
Pan American World Airways, Inc.	ALPA	FEIA	-	ALDA	TWU	-	TWU	IBT	IBT
Piedmont Airlines, Inc.	ALPA	-	-	ALDA	ALPA	-	-	-	-
Southern Airways, Inc.	ALPA	-	-	ALDA	TWU	-	-	ALEA	-
Trans-Texas Airways, Inc.	ALPA	-	-	ALDA	TWU	-	IAM & AW	ALEA ⁷	IAM & AW
Trans World Airlines, Inc.	ALPA	ALPA	TWU	TWU	TWU	ALEA	IAM & AW	-	-
United Air Lines, Inc.	ALPA	-	TWU	ALDA	ALPA	CWA	IAM & AW	-	IAM & AW
Western Airlines, Inc.	ALPA	-	-	ALDA	ALPA	CWA	IBT	BRAC	IBT

¹ For the full name of the unions listed, see appendix 1.

² Local union.

³ Allied Pilot Association.

⁴ Air Transport Dispatchers Association.

⁵ Included in clerical, office, stores, fleet and passenger service.

⁶ Airline Mechanics Fraternal Association.

⁷ Represents only a portion of the craft or class.

SOURCE: Thirty-fifth National Mediation Board *Annual*, p.89.

to bargain on a single-unit basis, that is, negotiations between one carrier with one union. Various factors have been put forth to explain this development, among which are the following:

(1) Vigorous competition and differences in operating problems (costs, routes, and investment expenditures) create an unfavorable atmosphere for bargaining coordination by airline management.

(2) Promotion of craft unionism by the RLA and by CAB administrative interpretation have reinforced single-unit bargaining.²⁴

(3) Besides the specific problems of each "craft," several unions (particularly those representing ground service personnel) compete among themselves for membership.

(4) Negotiation coordinating committees established by the two parties, such as the American Transport Association, have as yet not developed into a permanent system for multi-unit bargaining.

(5) Lastly, usually one party or the other finds it disadvantageous to increase the "bargaining unit."²⁵

The second point merits some elaboration. Nowhere in the RLA is there a reference to multi-unit bargaining (negotiations involving more than one carrier or one union); its prohibition originates from an administrative interpretation by the CAB. Apparently, the Board considers the establishment of multi-unit bargaining as detrimental to "public interest," since multicarrier bargaining could result in nationwide strikes. On the other hand, some airline labor-management experts assert that single-unit negotiations produce instability in airline industrial relations.

Multicarrier bargaining

Although single-unit bargaining has always been the prevalent form of bargaining in the air transportation industry, pressures have existed to induce one party or the other to seek multi-unit negotiations. As early as 1945, the airlines attempted joint negotiations with ALPA.²⁶ On December 28, 1945, the Chairman of the Air Line Negotiations Committee (which represented the airlines involved in Emergency Board No. 36) urged multi-unit bargaining of a wage and rules dispute on DC-4's and Constellations but this request was rejected by the president of ALPA. Although the carriers obtained no support from the emergency board, which did not recommend that ALPA accept

multicarrier bargaining, the Board did declare that the airlines had the right to be represented by the Committee.

After this defeat, the Committee was reorganized in August 1946 as the Airlines Negotiating Conference for the purpose of acting as the bargaining agent for its members. It too proved unsuccessful and was disbanded on February 28, 1947.

The first union request for multi-unit bargaining came in 1953 from IAM, an active proponent of multicarrier bargaining. At the suggestion of the union, five carriers (United, Eastern, Capital, Northeast, and National) resolved a common dispute in joint mediation, resulting in uniform contract duration. One year later (May 26, 1954), IAM served simultaneous notices on the same carriers and presented identical demands to them. The carriers' rejection of joint negotiations led to an impasse in collective bargaining. With IAM threatening a strike, the NMB proffered mediation on August 13, 1954. Except for Eastern, an agreement to hold joint mediation sessions was consummated between four of the carriers and IAM, the result of which was the negotiation of identical wage rate changes and common contract expiration dates.

In 1957, IAM again expressed an interest in conducting multi-unit bargaining with the major domestic trunk line carriers; but this effort proved fruitless. In the subsequent emergency dispute between IAM and six carriers, the emergency board (No. 122) recommended multi-unit bargaining, as have several boards since that time. Three years later, the NMB in its *Twenty-Seventh Report* also advocated joint bargaining as a means of improving labor relations in the airline industry.

Meanwhile, in May 1957, the Airline Personnel Relations Conference, the successor to the Airlines Negotiating Conference, proposed the creation of a committee to evaluate the advisability of joint airline negotiations. On July 31, 1957, the Conference adopted the report of the Committee which, among other things, advocated bargaining coordination by management. Subsequent activity led to the

²⁴ A 1947 CAB ruling held that multi-unit bargaining "... cannot be imposed by any party to a dispute but must come as a result of the consent of all parties."

²⁵ Vernon Briggs, *op. cit.*, p. 5.

²⁶ Baitzell considers the negotiations of the 1933 dispute between ALPA and five carriers, which led to NLB Decision No. 83, as the first endeavor to institute multicarrier bargaining. After this unsuccessful bargaining, ALPA opposed and blocked any effects by management to institute joint negotiations on the grounds that it (multi-unit bargaining) was in violation of the RLA.

formulation of the Mutual Aid Pact. Also, in late 1959 and early 1960, ATA began discussions dealing with the advantages of joint negotiations; but the member carriers were unable to agree on this proposal.

A more recent example of IAM's interest in multi-unit bargaining is illustrated by an agreement reached between IAM and five carriers (Eastern, National, Northwest, TWA, and United) to conduct joint negotiations on eight points of a then current dispute. After jointly serving "Section 6" notices on October 1, 1965, the parties held individual and, subsequently, joint meetings. On January 11, 1966, the parties, deadlocked in negotiations, applied together for the mediation services of the NMB; and the dispute was docketed as one case.

Bargaining coordination by management

At the same time, compelling forces also exist for carriers to coordinate their bargaining. As was previously stated, airline payrolls currently constitute approximately 40 percent—all employment costs (wages, salaries, personnel expenses, welfare programs, and payroll taxes) constitute 45 percent—of total operating expenses. Each carrier, operating in a regulated and highly competitive market, therefore, is concerned about labor costs vis-a-vis his competitors. Moreover, with the development of pattern bargaining, wage negotiations by one airline usually have an effect on other carriers. Combined, these two factors exert forceful pressures on the carriers to coordinate their bargaining.

On the other hand, each airline seeks harmonious industrial relations and what it considers to be a fair wage. Beyond that, some airlines are in a better financial position than others. Therefore, the forces of competition which frequently impel the carriers toward coordinated bargaining also dissipate the urge to cooperate:

The experiments with multicarrier bargaining indicate the longstanding interest of airline management in arriving at some cohesive system whereby settlements would depend not so much on the expediency of competitive gain or of keeping the business operating as on well-thought-out and practical long-term objectives. No system that has proved consistently (my emphasis) workable has yet evolved.²⁷

One important and apparently permanent system of cooperation has developed. Responding to the

Capital-IAM strike of Oct. 17, 1958 (which eventually led to the establishment of Emergency Board No. 122), six carriers, American, Capital, Eastern, Pan American, TWA, and United, executed a 1-year mutual aid agreement to protect themselves against strike losses and the prevailing "divide-and-conquer tactics" ("whip-sawing") used by a number of the unions. Under the provisions of this pact, a carrier shutdown by a strike would receive "windfall" payments if the strike was either "unlawful" or called to "enforce demands in excess of or contrary to those recommended by an Emergency Board."²⁸ On May 20, 1959, the CAB approved the pact, except for one provision requiring the shuttling of traffic from the struck carrier to the other pact members.

On March 7, 1960, the agreement was amended to include coverage for strikes called in the absence of emergency boards, with the stipulation that the carrier fully comply with the requirements of the RLA. Thus, small carriers whose operations would not substantially interrupt interstate commerce and whose disputes would not warrant the appointment of an emergency board found membership more advantageous; and Braniff, Continental, National, and Northwest joined in March and April 1960.²⁹ Seven unions (ALPA, ALDA, BRC, FEIA, TWU, IAM, and UAW)³⁰ reacted by forming the Association of Air Transport Unions on April 12, 1960, to oppose the pact and to enforce common expiration dates in their collective bargaining agreements. By November 1960, the Association became inactive because of disunity among member unions.

The carrier's Mutual Aid Pact was amended once more on March 22, 1962, and three significant modifications were made. First, a "supplemental payments" provision (in addition to "windfall payments") was instituted to insure that financial assistance to a struck member would be sufficient to cover 25 percent of the carrier's "normal operating expenses attributable to the operations shutdown." If "windfall payments" were insufficient to cover this 25 percent figure, each member carrier (not struck) was legally obligated to provide "supplemental payments" up to .5 percent of their operation revenues of the previous calendar year. Second, the agreement was extended indefinitely; each of the carriers had a

²⁷ Charles Mason, *op. cit.*, p. 245.

²⁸ CAB Mutual Aid Pact Investigation Docket No. 9977 (Renewal), *Brief of the Carriers to Examiner Arthur S. Present*, p. 3.

²⁹ National and Continental left the Pact in 1961. After rejoining on Mar. 22, 1962, Continental discontinued its membership again on Dec. 31, 1966.

³⁰ See appendix 1.

right to withdraw from the Pact. Third, coverage was enlarged to include strikes in which an emergency board made no specific recommendations. On July 10, 1964, the CAB approved the amended agreement for 3 years and later extended its approval.

In the latter part of 1969, the Pact members petitioned the CAB to effect changes in their agreement. Under the new provisions of the amended Pact, a struck carrier would receive 50 percent of its normal operation expenses at the beginning of a strike, the rate declining on a sliding scale to 35 percent at the end of the first 4 weeks of a labor dispute. Other provisions would alter the conditions of entry and exit from the Pact and would raise the annual limitations on the amount payable by any member. Subsequently, National, Continental, and Western joined the agreement; the first two by Nov. 15, 1969, and the third on Feb. 2, 1970.

The Pact was invoked on four occasions in the first 2 years of its existence, eight more times (seven of which dealt with crew complement disputes) in the next 2 years, and on seven occasions between March 1962 and August 1969. (See table 2.) A definitive evaluation of the Mutual Aid Pact's effect on collective bargaining relations in the airline industry is difficult to estimate,³¹ especially since the agreement was consummated in an unusually disruptive period, 1958-62, one fraught with emotion laden issues (job security, work rules, severance pay, etc.).

³¹ In CAB, Docket 9977, Hearing Examiner S. Thomas Simon Stated, "There is no substantial evidence in the record that the Pact has had any material effect upon the collective bargaining process in the industry."

Table 2. Use of the mutual aid pact benefits, 1958-69

Date work stoppage commenced	Carrier	Union(s)	Work stoppages	
			Number of workers involved	Duration in days
Oct. 16, 1958	Capital	IAM	6,838	37
Nov. 21, 1958	TWA	IAM	14,123	16
Nov. 24, 1958	Eastern	IAM and FEIA	14,252	22 38
Dec. 20, 1958	American	ALPA	20,819	22
June 10, 1960	Eastern	ALPA	9,655	10
Oct. 11, 1960	Northwest	IAM	4,166	37
Feb. 17, 1961	Pan American American TWA Eastern National	FEIA	¹ 73,483	7
May 2, 1961	National	IAM	3,581	6
June 23, 1962	Eastern	FEIA	17,107	82
Aug. 21, 1963	United	IAM	2,269	1
Aug. 25, 1964	Pan American	TWU	7,630	1
Mar. 31, 1965	Pan American	ALPA	17,221	11
July 8, 1966	Eastern TWA United Northwest	IAM	² 70,858	43
Feb. 27, 1969	American	TWU	20,000	21
Aug. 8, 1969	Pan American	TCWH	24,000	4

¹ Includes the FEIA flight engineers' strike at Western and Flying Tiger.

² Also includes the IAM strike at National.

SOURCE: Air Transport Association; Bureau of Labor Statistics; and Civil Aeronautics Board, Docket No. 9977 (*Renewal*), December 1968, pp. 3-5.

Although the agreement may enhance the member carriers' bargaining power, it does not follow that it necessarily increases the chances for prolonged strikes:

In the first place, at no time have all the trunk lines been participating members. Indeed, during most of its existence five of the trunk line carriers (Delta, Northeast, Western, National, and Continental) have stayed out of it . . . Second, while payments may be helpful, they do not cover actual strike losses . . . Another weakness is that local service lines are excluded . . . A final weakness of the Mutual Aid Pact is that it (MAP) will not automatically prevent unions from winning a new concession from a carrier to which it is not important.³²

Union bargaining coordination

The airline unions have also instituted several schemes for interunion cooperation although, again, no permanent system has evolved. To illustrate, at the beginning of the jet crew complement dispute, Sept. 3, 1958, the FEIA, IAM, and ALSSA locals at Eastern Air Lines agreed to honor each other's picket lines. Soon afterwards, FEIA and IBT entered into a mutual assistance pact. On Nov. 24, 1958,

FEIA and IAM simultaneously struck Eastern. Other examples of interunion mutual aid have included the honoring of the flight engineers' picket line at Western in 1961 by IAM and the navigators, the navigators' picket line at Flying Tiger by ALPA and FEIA, and the stewardesses' picket line at Mohawk by ALPA. Given the particular development of airline collective bargaining units into numerous crafts or classes, with varying economic power, this form of cooperation greatly enhanced the economic power of a small or weak union.

Another type of interunion cooperation consists of granting or loaning strike funds. In later 1955, for example, TWU furnished assistance to the flight engineers (FEIA) to sustain their strike against United; and later, IBT loaned FEIA \$100,000 to continue the strike.³³ Three years later, FEIA received \$200,000 more from IBT, this time to maintain strike action against Eastern.³⁴

³² John Baitzell, *op. cit.*, pp. 343-45.

³³ TWU Express, January 1956, p. 7; *The New York Times*, July 22, 1958, p. 54.

³⁴ *The Washington Post*, Dec. 9, 1958, p. C-10.

Chapter III. Legal Framework of the Railway Labor Act

Originally, the RLA dealt only with industrial relations disputes in the railroad industry; but a number of events during the mid-1920's and the 1930's in the airline industry gradually resulted in its inclusion under the act: The Air Mail Act of 1925 authorized the Postmaster General to award air mail carrier contracts; the Air Commerce Act of 1926 empowered the Department of Commerce to encourage air commerce and to promote the growth of airports, airways and other facilities; the Watres Act of 1930 authorized the Postmaster General to direct, combine, and strengthen the air transportation industry; and the Air Mail Act of 1934 required carriers to comply with the compensation levels and working conditions prescribed by National Labor Board Decision No. 83 as a prerequisite for securing air mail contracts. Simultaneously, there were industrial relations developments which culminated in legislative action in 1936. As technological changes occurred during the 1931-33 period, aircraft cruising speeds increased substantially; thus, the air carriers sought a modification of their pilots' pay formula from a monthly base plus mileage pay to a monthly base plus hourly pay (flight hours flown). Concerned about the wage and hour issues involved, ALPA announced its intention to strike. When the carriers proceeded to institute the new compensation system, ALPA sought relief from the NLB. In turn, the NLB created a three-man factfinding board to investigate the dispute; and their recommendations directly led to NLB Decision No. 83, "the most far-reaching ruling ever issued in the airline industry."³⁵

Meanwhile, from its inception in 1931, ALPA, with the support of the American Federation of Labor, Congress of Industrial Organization, and the Railway Labor Executives Association, attempted to persuade Congress to include the air transportation industry under the RLA. Finally, on April 10, 1936, Congress placed the airlines within the scope of the RLA by an amendment to the Act ("Title II"). "Title II" extended all of the provisions of the 1926 Act (as amended in 1934) to the commercial airline industry, except section 3 which dealt with the National Railroad Adjustment Board.³⁶

National mediation board

In the intervening time, the act was amended on June 21, 1934, to create the National Mediation Board, the successor to the U.S. Board of Mediation which was established by the original act in 1926. Two major functions, corresponding to 2 of the 3 types of disputes covered by the act, were delegated to the Board:

(1) The mediation of disputes between carriers and the labor organizations representing their employees, relating to the making of new agreements, or the changing of existing agreements, affecting rates of pay, rules and working conditions, after the parties have been unsuccessful in their at-home bargaining efforts to compose these differences ("major disputes") . . .

(2) The duty of ascertaining and certifying the representative of any craft or class of employees to the carriers after investigation through secret-ballot elections or other appropriate methods of employees' representation choice ("representation disputes") . . .³⁷

An important supplemental duty assigned to the Board was the settlement of "minor disputes," those involving the interpretation of the existing collective bargaining agreements.

Purposes of the act

The general purposes of the RLA, as contained in section 2 of the 1934 amendments to the Railway Labor Act, are the following: (1) To avoid any interruption to commerce or to the operation of any carrier engaged therein; (2) to forbid any limitation upon freedom of association among employees or any denial, as a condition of employment or otherwise, of the right of employees to join a labor organization;

³⁵ John Baitsell, *op. cit.*, p. 32.

³⁶ The 1936 Amendments to the Railway Labor Act, Congress of the United States. In U.S. 40 States 1921, ch. 166, 74 Cong. (1936), Sec. 201.

³⁷ *Thirty-Fourth Annual Report of the National Mediation Board*, Fiscal Year ending June 30, 1969, p. 4.

(3) to provide for the complete independence of carriers and of employees in the matter of self-organization to carry out the purposes of this act; (4) to provide for the prompt and orderly settlement of all disputes concerning rates of pay, rules, or working conditions; (5) to provide for the prompt and orderly settlement of all disputes growing out of grievances or out of the interpretation or application of agreements covering rates of pay, rules, or working conditions.³⁸

Procedural aspects of the act

To implement its general purposes, the RLA requires the parties to follow step-by-step procedures that govern their actions from the initial notice of an intention to change the terms of an agreement to the last step which leaves the union free to strike or the employer to institute a lockout. RLA procedures are complex and time consuming and consist of: Notice of intended change in the terms and conditions of employment by one or both parties; direct negotiations; if direct negotiations are unsuccessful, a request by the parties for or the proffer of mediation by the National Mediation Board (NMB) should the facts warrant it; mediation hearings; proffer of arbitration; emergency board hearings and recommendations; and "status quo" periods. (See chart 1.) The procedure is set in motion upon the serving of a "Section 6" notice of intended change in the collective bargaining agreement. A "status quo" period prohibits changes in the terms and conditions of employment until the parties reach agreement, or all requisite procedures of the act have been exhausted, or a period of 10 days

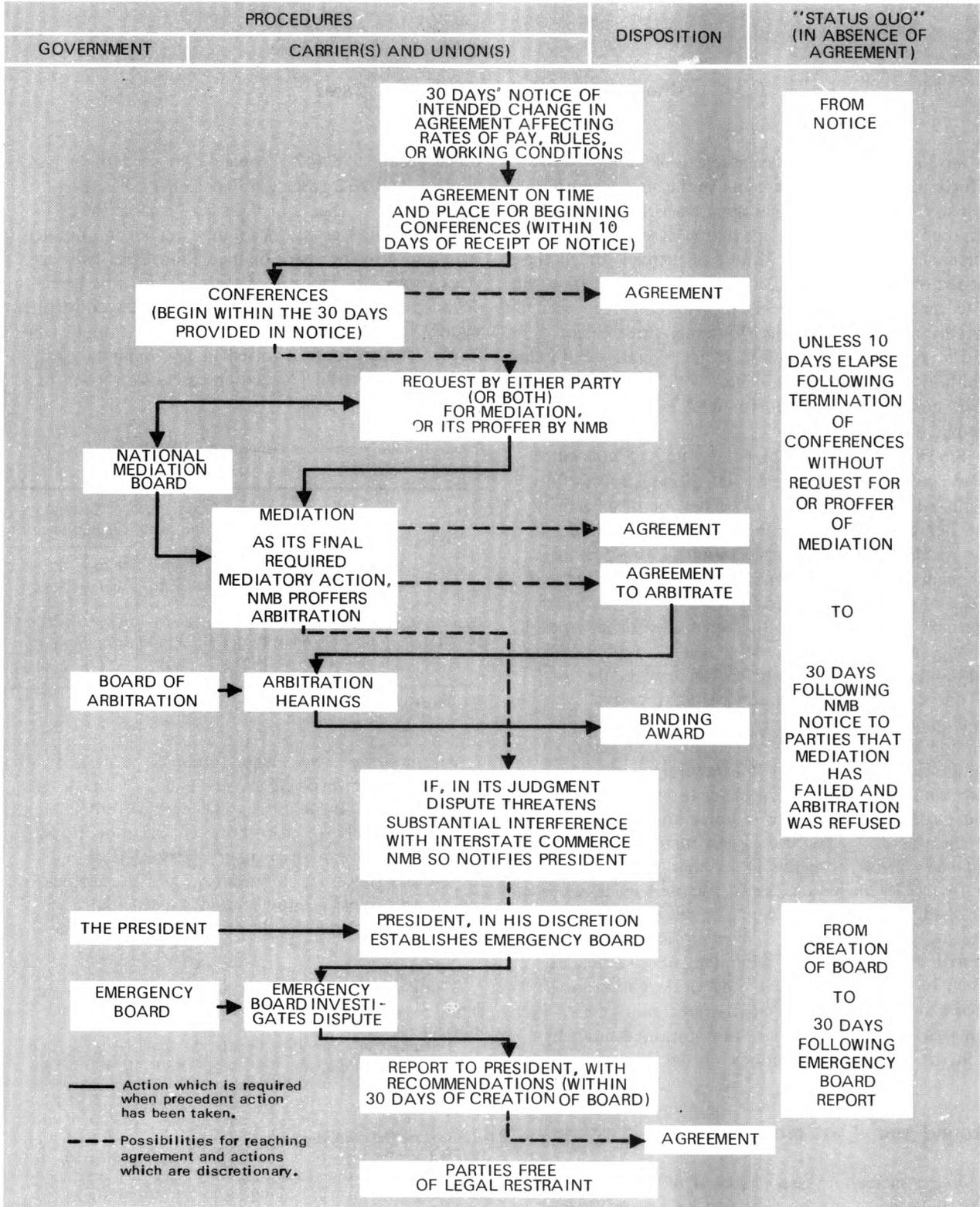
has passed after the termination of discussions without a request for or proffer of the Board's assistance. The parties are expected to negotiate until an agreement is reached or an impasse develops.

When mediation proves unsuccessful in producing an accord and arbitration is refused, the Board is required to formally notify both parties of its failure to reconcile their differences. Again, a "status quo" period is instituted, and no unilateral alteration in the terms of the collective bargaining agreement is permissible for 30 days from the date of notice unless, in the interim, arbitration is again proffered and is agreed upon or an emergency board is established under Section 10 of the act. Action under this section is taken if, in the opinion of the NMB, an actual or imminent strike arising out of an unresolved dispute "threatens to substantially interrupt interstate commerce." The Board so notifies the President who may establish, as a last resort under the act, an emergency board to examine the nature of and to make recommendations concerning the issues in dispute.

Generally, the emergency boards delay the issuance of a formal report as long as voluntary settlements are impending or probable. Beyond that, the boards utilize prolongations of the emergency procedures to effect accords by means of mediation. Even after the recommendations are made public, the NMB (under Section 5 of the RLA) may reenter the case and extend the use of their mediatory facilities.

³⁸ The 1934 Amendments to the Railway Labor Act, Congress of the United States. In U.S. 48 States 1185, ch. 691, 73d Cong. (1934), Sec. 2.

Chart 1. Airline collective bargaining procedures and "status quo" periods under the Railway Labor Act.



Chapter IV. Airline Mediation Cases ³⁹

Mediation was an indispensable tool in the NMB's efforts to conclude settlements in the air transportation industry. Over the 34-year span since 1936, the NMB disposed of 1,465 airline mediation cases, 905 (61.8 percent) since 1955. ⁴⁰ Almost 50 percent of all the mediation cases were settled in one decade, 1951-1960 (715 mediation cases), years that were characterized first by a rapid rise in the Consumer Price Index and later by the introduction of jet aircraft. With the addition of 3 more years (1963, 1967, 1968), the 13 years combined accounted for 62.4 percent of all mediation cases.

Ranging from a high of 83 in 1959 to none in 1936 and 1937, the distribution of cases successfully mediated, withdrawn by the parties, or dismissed by the Board was uneven within the 34-year period. In the formative years of organization (1936-45), only 40 mediation cases, the majority involving pilots and mechanics, were processed. (See appendix 2.) Over the next 5 years (1946-50), organizational activities among airline employees not previously represented substantially contributed to the increase in the use of the Board's mediatory services (231 cases). Beginning in the latter part of this period and extending through the mid-1950's, unsettled labor conditions precipitated by the failure to agree on wage and rule changes, especially for flight groups and mechanics, frequently required the intervention of the Board. ⁴¹ The use of jets in the late 1950's and early 1960's ushered in another period of conflict (338 mediation cases), focussed in demands for changes in rules and pay. Between 1963 and the present, pressures induced by innovations and substantial rises in the CPI generated union demands which resulted in continual NMB intervention in labor-management disputes (374 mediation cases), although not as many cases were docketed annually as in the two previous periods.

Ground and flight groups

Of the mediation cases disposed of between 1936 and 1969 that could be classified by major occupa-

tional group, 595 (42.3 percent) involved flight employees and 812 cases (57.7 percent) concerned ground crafts. (See appendix 3.) ⁴² Doubtlessly, flight personnel groups accounted for an inordinately large and growing share of mediation cases over the years, especially in light of their relative numbers. Between 1955 and 1969, flight employees constituted slightly less than 20 percent of the total airline labor force; yet they were involved in approximately 40 percent of all airline mediation cases, as shown in table 3.

Table 3. Mediation cases disposed of, 1936-69 by occupational group

Years	Total		Flight mediation cases		Ground mediation cases	
	Num-ber	Per-cent	Num-ber	Per-cent	Num-ber	Per-cent
1936-69 . . .	1,407	100.0	595	42.3	812	57.7
1955-69 . . .	871	100.0	383	44.0	488	56.0
1936-54 . . .	536	100.0	212	39.6	324	60.4

SOURCE: National Mediation Board data.

Within these two major groups, pilots and mechanics were involved in one-half of the total mediation cases in all three time periods, but increased their relative share between the subperiods. With the addition of two other crafts, clerical and related and stewards, stewardesses, and pursers, the four occupational groups combined participated in approximately three-fourths of all airline mediation cases.

³⁹ All data, except for work stoppage figures, in this and in the following sections are based on the fiscal year (ending June 30).

⁴⁰ Because of a limitation in data, the analysis proceeds on the basis of mediation cases disposed of (settled by one means or another) rather than mediation cases docketed in any particular fiscal year(s).

⁴¹ Between 1951 and 1957, the National Mediation Board disposed of 482 mediation cases.

⁴² The category of combined airline employees was eliminated from the analysis since it was impossible to classify those mediation cases by major groups. Also, all 11 mediation cases in 1945 were omitted from the analysis for the same reason.

Years	Pilots and mechanics	Pilots, mechanics, clerical and related, stewardesses and stewards
1936-69	51.4	72.9
1955-69	53.0	74.4
1936-54	49.1	70.3

Issues

Union demands for changes in an existing agreement are seldom confined to a single issue. Most frequently they include economic as well as noneconomic proposals for change. Nevertheless when an impasse has been reached, generally, one broad issue can be identified as the roadblock to agreement. Although full agreement may not have been reached on all of the provisions which were considered in negotiations, in the data discussed here and in appendix 2, mediation cases were classified by the issue considered by the parties and the mediators to be the one that most hindered agreement.

Because of the unavailability of data for the pre-1955 period, the analysis was confined to subsequent years. Of the 905 mediation cases disposed of between 1955 and 1969, 30 were concerned with the negotiation of first agreements, 534 with rates of pay, 328 with work rules, and 13 with miscellaneous issues. Combined, rates and rules were the principal subjects of mediation cases docketed by the Board; they accounted for over 95 percent of the mediation cases disposed of during this period. The negotiations of new agreements was undoubtedly relatively more important an issue in the pre-1955 period since organization of most of the crafts was substantially completed by the mid-1950's.

Disposition of mediation cases ⁴³

Of the various methods of disposition of these 905 cases, mediation agreements far exceeded those of other categories. Between 1955 and 1969, 586 of these agreements, accounting for 64.8 percent of disposition of all airline mediation cases, were consummated. Thus, after direct negotiation, this second line of defense was an effective device in assisting the parties to reach agreement.

Table 4 indicates the consummation of mediation agreements varied between the 5-year periods, with a decline between the first and second subperiods, due to an increase in the relative number of dismissals and withdrawals, and with an upswing in the third period.

Even more interesting was the comparison between 1955-62 and 1963-69. Although more cases were disposed

Table 4. Number of mediation agreements and percent of total, 1955-69

Years ¹	Number of mediation agreements	Mediation agreements as a percent of total mediation cases disposed of
1955-59	233	66.0
1960-64	173	58.1
1965-69	180	70.9
1955-69	586	64.8

¹ Subdividing the 15 years into these 5-year periods was based on convenience, not on any economic criterion.

SOURCE: National Mediation Board data.

of by mediation agreements in the former period, in relative terms the years from 1963 to 1969 were characterized by greater success by the NMB's mediation activities. Over the 8-year period 1955-62, the average annual number of mediation agreements signed by air carriers and unions was 42; for the 1963-69 period, 36 cases were annually disposed of on the average by this means. However, 6 of the 9 years in which mediation agreements constituted the most prevalent method of settlement occurred in the second time period.

Arbitration, another method to dispose of mediation cases, was seldom used by the parties in the air transportation industry. During the 15-year period under consideration, only 12 agreements to arbitrate were consummated, an average of, less than one annually. Since 1955, the parties interest in this procedure apparently declined.

Years	Number	Percent of mediation cases disposed of by arbitration agreement
1955-59	7	1.98
1960-64	3	1.01
1965-69	2	.79
1955-69	12	1.33

SOURCE: National Mediation Board data.

Two other categories of disposition remain, withdrawals and dismissals. ⁴⁴ Over the 15-year span, they accounted for 189 dispositions (82 and 107,

⁴³ Data on disposition of airline mediation cases was also unavailable prior to 1955. See appendix 2.

⁴⁴ A withdrawal refers to the action of the party which initially requested the mediatory services of the Board when the party retracts its application. A dismissal refers to the action of the Board when it discharges the request for its service according to the conditions required under the act (RLA).

respectively). Between the three subperiods, the distribution of dismissals plus withdrawals was relatively stable, 19.6 percent of all dispositions between 1955 and 1969, 22.5 percent between 1960 and 1964, and 20.9 percent between 1965 and 1969. Within these three periods, however, they varied considerably.

Relative utilization of mediatory services

To ascertain whether labor and management relied heavily upon the mediatory assistance of the Board to resolve their differences, an attempt was made to

establish a measuring rod of the efficiency of the parties to dispose of industrial relation controversies by means of direct negotiations. Limitations, mainly due to data constraints, were quickly apparent. No accurate statistics were available to indicate the number of "Section 6" notices of intended change in collective bargaining agreements or the number of disputes settled by direct negotiations. Moreover, the number of mediation cases that involved airlines annually was not ascertainable. These statistics were to be utilized to indicate the percent of "Section 6" notices requiring the mediatory services of the NMB. Thus, without these data, accurate quantification of the parties' success in solving their collective bargaining problems on their own was impossible.

Chapter V. Airline Emergency Boards

Since 1936, the Board has dealt with 1,465 airline mediation cases; and only 63 required this final step of the procedure.⁴⁵ In total, 33 boards were created, two-thirds between 1955 and 1969 but none during the last 3 years. (See table 5.) The incidence of airline emergency boards over time was irregular, most occurring in scattered clusters.

Between May 1946 and November 1954, 13 emergency boards were established. Fourteen boards, created between January 1958 and March 1962, coincided with the introduction of the jet plane and centered on work rules for ground employees and manning issues for flight deck personnel as the principal subjects in dispute. In the last seven airline emergency boards, which were confined to ground crafts, wages was the prime issue.

The use of emergency boards in the past 20 years has been depicted as a "proliferation" of such procedures and a domination of labor-management negotiations in the industry by the Government, contrary to the original intent of the act. Critics have frequently charged that the Board has pursued a policy of automatically notifying the President of almost any dispute which was unsettled after it had intervened, the only criterion being whether a work stoppage was imminent. Since the airline unions routinely set a strike date when an impasse is reached in negotiations or in mediation conducted by the Board, the occurrence of "imminent work stoppages" has been extremely high. Consequently, it appears that the effectiveness of the emergency board procedures as a last resort has been reduced and the parties have integrated this procedure into their collective bargaining strategy.

If this lessening of effectiveness has occurred, its cause lies, perhaps, in the evolution of the act. Originally, the act was limited exclusively to railroads, an industry in which collective bargaining relationships were well-structured and one in which a work stoppage, even on smaller lines, could entail a substantial impact on an area. The law was phrased to reflect the nature of the industry and its relative importance vis-a-vis the national economy as it existed at the time of passage in 1926. Thus, Section 10, 1st, and Section 2, 1st, referred to

disputes which "threaten substantially to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service" and to the settlement of all disputes "in order to avoid any interruption to commerce or to the operation of any carrier. . . ." Considering the size of some of the smaller airline carriers and the Civil Aeronautics Board practice of awarding two or more carriers access to major routes, as well as the existence of other means of transportation, a strict interpretation of Section 2, 1st, may not have been necessary to protect the public interest.

In 1966, former Secretary of Labor W. Willard Wirtz refused to classify as a national emergency the labor-management controversy which interrupted about 50 percent of domestic trunkline air service and which caused the creation of Emergency Board 166. This particular controversy probably had the greatest economic impact of any airline emergency board dispute, and it may serve as a measure of the economic impact of the other 32 cases.

Most emergency boards involving a single carrier and a single union (especially those in the late 1940's and early 1950's) were created to resolve controversies which may not have fulfilled the conditions of threatening to substantially deprive a section of the country of essential transportation services, except in the narrowest sense. For instance, it would seem that when the Brotherhood of Railway Clerks struck Braniff (a domestic trunkline carrier) in late 1951, the dispute did not threaten to substantially interrupt interstate commerce or deprive a section of the country of essential transportation services for the following reasons: The clerks are not essential personnel in the same sense that mechanics and flight deck personnel are; the major airline routes assigned to Braniff were also flown by other carriers; and other forms of transportation were available to provide essential services to the affected areas. The

⁴⁵ Some of the 63 mediation cases were combined into one emergency board case; others were considered separately.

Table 5. Airline emergency boards, 1936-69

Emergency board number	Union(s)	Carrier(s)	Major craft involved		Major issues				"Section 6" notice date
			Flight	Ground	New agreements	Wages	Rules	Other	
168	TWU	Pan American		Mechanics and related		X			May 31, 1966
167	TWU	American		Mechanics and related		X			Mar. 1, 1966
166	IAM	Eastern		Mechanics and related		X			Oct. 1, 1965
		National							
		Northwest							
		TWA							
		United							
158	IAM	Braniff		Mechanics and related		X			Oct. 31, 1962
		Continental							
		Eastern							
		National							
		Northwest							
156	IAM	United		Mechanics and related		X		May 1, 1962	
152	TWU	Pan American		Mechanics and related		X		(*)	
149	TWU	American		Mechanics and related		X		{Aug. 10, 1961 ^s	
146	FEIA	TWA	Engineers				X		{Feb. 28, 1962
144	FEIA	Eastern	Engineers				X		Oct. 26, 1960
143	ALPA	Pan American	Pilots				X		Feb. 8, 1960
142	ALPA	TWA	Pilots				X		Jan. 2, 1960
140	TWU	TWA	Navigators				X		Aug. 30, 1960
136	IAM	Northwest	Engineers				X		May 31, 1961
135	FEIA	Pan American	Engineers				X		{Feb. 9, 1960 ^s
128	BRC	Pan American		Clerical and related			X		{May 31, 1960
125	TWU	Pan American	Service				X		Mar. 8, 1960
124	ALPA	American	Pilots				X		Oct. 9, 1959
123	FEIA	TWA	Engineers				X		Oct. 30, 1958
122	IAM	Eastern		Mechanics and related		X			X
		TWA							
		United							
		Northwest							
		Northwest							
121	ALPA	National	Pilots				X		Jul. 30, 1957
120	FEIA	Eastern	Engineers				X		Aug. 30, 1957
108	IAM	Capital		Mechanics and related		X			X
		National							
		Northwest							
		TWA							
		United							
103	FEIA	Eastern	Engineers				X		Aug. 1, 1957
102	IAM	United	Engineers				X		Aug. 1, 1957
101	FEIA	Northwest	Engineers				X		Aug. 30, 1957
100	IAM	TWA	Engineers				X		Aug. 30, 1957
99	TWU	Pan American		Mechanics and related			X		Jul. 30, 1957
94	ALPA	American	Pilots				X		Aug. 30, 1957
90	BRC	Braniff		Clerical and related			X		Aug. 29, 1957
67	IAM	Northwest		Mechanics and related			X		Mar. 27, 1957
62	(ALPA)	National	Pilots					X	Feb. 26, 1957
38	IAM	National		Clerical and related	X				
36	ALPA	Northwest	Pilots				X		
		TWA ¹⁷		Mechanics and related			X		

- 1 Includes manning requirements, work rules, and technological innovation issues.
- 2 Did not respond to recommendations.
- 3 No formal emergency board report, settled directly by the parties.
- 4 "Section 6" filing date not available.
- 5 Dispute in which 2 mediation cases involving the same parties were considered jointly.
- 6 No specific recommendations on economic issues.
- 7 No settlement; bargaining agent changed.
- 8 Board recommended resuming neutral fact finding, with no recommendations on specific issues, except that settlement should not conflict with Feinsinger Commission's recommendations.
- 9 Partial acceptance (rejection).

Mediation Board's hesitancy, apparent since the mid-1960's, to recommend the appointment of emergency boards for some single carrier disputes was probably a recognition of the need to reverse this policy.

Unions and carriers involved

The requirement that boards be appointed to consider disputes that may substantially interrupt

interstate commerce has limited to a small proportion the U.S. scheduled air carriers and major airline unions involved in emergency procedures. In most cases, emergency boards were appointed by the President to aid in disputes between one carrier and one union, usually a major airline union and a domestic carrier. With the exception of one emergency dispute, none involved more than one union; and only five were concerned with more than one

Table 5. Airline emergency boards, 1936-69—Continued

Duration under act (calendar days)	Work stoppages				Emergency board recommendations					Emergency board number
	Number of workers involved (thousands)	Mar.-days idle (thousands)	Occurred		Response of parties			Settlement deviated from recommendations on:—		
			Before emergency board created	After emergency board created	Rejected by		Accepted by both parties	Economic issues	Job security issues †	
					Union	Carrier				
182					X			X		168
179					X	(?)		X		167
277	71	1,922		X	X			X		166
436					(?)	(?)			(?)	158
231					X			X		156
163					(?)	(?)			(?)	152
225					(?)	(?)			(?)	149
582					26 X	(?)				146
842	17	912	X		X				(?)	144
586					8 X				X	143
502					(?)	(?)			X	142
186					(?)	(?)			X	140
444	4	210	X		(?)	(?)			X	136
499	20	100	X		X					135
266					X			X		128
258					X			X		125
469	21	118	X		(1)	(1)			(1)	124
335	14	13 371	X		(?)	(?)				123
434	14	141	X		X			X		122
511	7	185	X					X	X	121
359	14	13 371	X		X		X	X	X	120
204					(?)	(?)			(?)	108
402	(14)	1	X				X	X		103
372					X			X		102
184					X			X		101
802					(?)	(?)			(?)	100
139	4	8	X		(?)			X		99
754					X			X		94
538						X	(?)		(?)	90
316					(?)	(?)			(?)	67
(45) 439	(14) 1	30	X	X		X			X	62
189	2	83	X	X	(1)	(1)		(1)		38
252	13	3	X	X	(6)	(6)		X		36
		244	X	X	X			X		38

10 Work stoppage occurred immediately after the creation of the emergency board and before members were appointed.
 11 No recommendations on specific issues.
 12 Emergency board recommended that the parties bargain in good faith, but a strike occurred shortly thereafter.
 13 Number of workers involved and man-days lost include IAM and FEIA strikes at Eastern. BLS counted it as one strike.
 14 Less than 500.
 15 No figure given because major issue was a grievance; inclusion would bias results because regular procedures, including a "Section 6" notice, were not required.
 16 Information not available.
 17 Includes 12 other carriers; TWA was the major case.

SOURCES: National Mediation Board, Bureau of Labor Statistics, Civil Aeronautics Board, and presidential emergency board reports.

carrier—four of which involved the International Association of Machinists and Aerospace Workers.

Another prominent structural characteristic of emergency board participation was its concentration by economic size. All the airlines involved in these disputes were either domestic (trunk and local) or international carriers. Of the 21 major domestic and international

airlines, American, Eastern, United, and TWA constituted slightly under one-half of carrier participation in such disputes. When Pan American and Northwest are added, these six airlines accounted for approximately three-fourths of the carriers involved in the disputes. Only 5 of the 14 unions that represent a significant number of airline employees were involved in the emergency

board procedures: The Machinists on 11 occasions; Air Line Pilots Association, Flight Engineers International Association, and Transport Workers Union of America, 7 times each; and the Brotherhood of Railway and Steamship Clerks, Freight Handler, Express and Station Employees, twice.

The ability of flight personnel to close down a carrier's operations (because of the essential nature of the occupation and the economic regulations of the Civil Aeronautics Board) is reflected in the number of emergency cases in which they participated. Eighteen of the 33 emergency boards involved flight crafts only, a disproportionate participation, considering their relative numerical importance in the industry. Another 10 dealt exclusively with ground crafts, and five included both of these groups. Three occupational groups participated in the majority of the boards: The pilots, the flight engineers, and the mechanics. Since 1955, these three groups increasingly came before emergency boards, as shown below:

Major group involved in emergency board	1936-69 ¹	1955-69 ¹	1936-54 ¹
Flight personnel:			
Pilots	7	4	3
Flight engineers	10	6	4
Other flight personnel	2	2	0
Ground personnel:			
Mechanics	12	9	3
Other ground personnel	3	1	2

¹ Fiscal year, based on date emergency board was created.

SOURCE: National Mediation Board data.

Except for four emergency boards, the involvement of other ground crafts—stock and stores and clerical and related—in this procedure was incidental to their representation by the Transport Workers and the Machinists and to the unions' practice of negotiating concurrently for the various classes represented by them. Similarly, in only two cases were flight personnel other than pilots or flight engineers directly involved in national emergency disputes; and both crafts (flight navigators in Emergency Board 140 and flight service employees in Emergency Board 125) were organized by the Transport Workers. In four other instances of participation, these flight service personnel were involved because of their organization by the two unions and their common negotiations for the various crafts represented.

Issues

A distinct pattern of major issues has precipitated emergency disputes. Major issues were fairly evenly divided between wages (16 cases) and rules (13). Both issues came before emergency boards twice. Of the two remaining disputes, one involved the revision of the entire agreement, and one dealt with the negotiation of an initial agreement and miscellaneous issues. In the late 1940's to early 1950's, which were characterized by a rapidly rising cost of living and continuous aircraft technological change, wages predominated in emergency board disputes. With the advent of the jet plane, during the late 1950's and early 1960's, rules became the prime issue between the parties, especially for flight personnel. By the mid-1960's, the emphasis reverted to economic issues, which generated several conflicts involving ground employees. Flight deck personnel (pilots and flight engineers) tended to participate in emergency boards dealing primarily with demands for rule changes. As the following tabulation shows, ground employees were involved in a majority of boards facing demands for changes in pay.

	1936-69	1955-69	1936-54
New agreement:			
Flight	0	0	0
Ground	1	0	1
Wages:			
Flight	6	0	6
Ground	13	10	3
Rules:			
Flight	12	11	1
Ground	3	2	1
Miscellaneous:¹			
Flight	1	0	1
Ground	2	1	1

¹ Apparent discrepancies are explained by multiple issues and crafts involved in Emergency Boards 36, 38, 62, 67, 99, 108, and 122.

SOURCE: National Mediation Board data.

Another important characteristic of the disputes was the disparity in duration, ⁴⁶ from the Section 6 notice to 30 days after the emergency board report, by major issue. Cases involving rule issues were on the average longer in duration than those dealing with rates of pay, 471 days compared with 269 days.

⁴⁶ Average duration refers to the mean duration of the emergency boards, defined as the time span between the issuance of the "Section 6" notice and 30 days after the emergency board report.

For all emergency boards, from the date of the "Section 6" notice to 30 days after the issuance of the emergency board report,⁴⁷ the average duration was 381 days, with an array ranging from 109 days in Emergency Board 99, which dealt with adjusting wages, to 812 days in Emergency Board 144, which involved rule changes. This long duration was primarily the result of three factors: First, under the provisions of the act, no time limitations were placed on mediation. Defined as the time span between the initiation of the mediation sessions by the Board and the offer of arbitration, the average duration of mediation activities was 74 days, the longest period covering 338 calendar days.⁴⁸ Second, although Section 10 of the act established a time limit for the emergency board procedure (30 days from the date of the Board's creation to the date of its report), with the consent of both parties, the Board can notify the President that an extension is necessary which he, in turn, is authorized to grant.

As measured by the time span between the establishment of the emergency board and its report, the average duration of an airline emergency board hearing was 75 days, the longest 200 days.⁴⁹ Of the 12 prolonged emergency board hearings (those requiring more than 60 days), the majority were concerned with flight personnel groups asking for rule changes. Third, too often the parties contributed to the duration by bringing issues before the Board on which they had spent little time bargaining, as demonstrated by this statement of the National Mediation Board:

In the handling of mediation cases the following situations constantly occur: One is the lack of sufficient and proper negotiations between the parties prior to invoking mediation . . . in other instances prior to invoking the services of the Board, the parties have only met in brief session without a real effort to resolve the dispute or consideration of alternative approaches to the issues in dispute . . . Frequent recesses of this nature (due to the two above problems) do not permit a prompt disposition of the dispute as anticipated by the act . . . In other instances mediation proceeds for only a short time before it becomes apparent that the designated representative of one or both sides lacks the authority to negotiate the dispute to a conclusion . . . Another facet of this problem is the requirement that an agreement which has been negotiated by the designated representatives must be ratified by the membership of the organization. Failure of the employees, in some instances, to ratify the actions of their designated representatives casts a doubt on the authority of these leaders and a question as to the extent to which they can negotiate settlements of disputes. . . .⁵⁰

Refusals to arbitrate

As noted earlier, the Board has the option under the law to suggest that the parties submit the dispute to arbitration. Mediation cases culminating in emergency boards were closed when carriers rejected arbitration in five cases (15 percent of the total), unions on 22 occasions (67 percent), and both parties in six instances (18 percent). In no case did both parties agree to submit the dispute to arbitration.

As early as 1941, a formal censure of the parties' tendency to decline arbitration, the next to last step left to the parties to agree on a method of settlement, was recorded by the Board and was reiterated almost every year since then in the Board's *Annual Report*: "The Board has always felt that arbitration should be used by the parties more frequently in disposing of disputes which have not been settled in mediation . . ."⁵¹ Up until the 1950's, the carriers were inclined to reject the offer of arbitration; but since then, the unions have usually refused the offer.

Emergency board recommendations

The Railway Labor Act does not compel the parties to reach an accord; rather the act places maximum reliance on self-determination by labor and management. While the right to strike is an integral part of this public policy, the parties are required to adhere to a step-by-step process during which the nature of the dispute and the merits of the opposing claims would be made public. The assumption in the law was that this type of disclosure would generate public pressures that contribute to a "just" and "equitable settlement."

Of the 23 substantive and 3 less detailed emergency board recommendations that were produced, the vast majority were rejected by one or both

⁴⁷ The act permits no unilateral change in the terms and conditions of employment for a 30-day period following the emergency board report.

⁴⁸ This is a somewhat arbitrary definition since hearings are often intermittently held, sometimes informal in nature (for example, over the telephone) and often extend beyond the formal period as defined by the act.

⁴⁹ Four Emergency Boards—158, 152, 149, and 100—were not included because no emergency board reports were issued.

⁵⁰ *Thirty-Fourth Annual Report of the National Mediation Board* (for the Fiscal Year ending June 30, 1968), pp. 23–24.

⁵¹ *Ibid.*, p.6.

parties.⁵² In fact, labor and management accepted the board's specific recommendations only twice: the reduction to a three-man crew in the Air Line Pilots Association-Eastern dispute in 1958 (Emergency Board 121) and the pay increase and retroactive decisions in the Flight Engineers International Association-United controversy in 1953 (Emergency Board 103).⁵³ National Mediation Board, Civil Aeronautics Board, and other government records indicate that on 16 occasions airline unions rejected the boards' recommendations; and, in two instances, airline carriers acted similarly. Unions' responses were partially negative on five other occasions, and managements' on four occasions.⁵⁴ Flight groups accounted for 13 rejections (including four partial rejections), and ground personnel, for eight rejections (including one partial rejection).

Thus, the pressure of public opinion was not adequate to force the parties to accept a board's recommendations, nor was voluntary compliance common. As early as 1951, the Board recognized the increasing predisposition of the unions to reject emergency board recommendations, an action contrary to the anticipated operation of the act. To explain this tendency, the Board argued that the complicated and technical issues precipitating these disputes were given little publicity and beyond that they were somewhat incomprehensible to the public.⁵⁵

In no case did the parties completely repudiate the emergency boards' recommendations or reach a settlement entirely outside of those suggestions. At various times, the boards' recommendations served as a basis for eventual agreements with out interruption of service. For example, in Emergency Board 123, the parties (FEIA and TWA) implemented the recommendation of a reduction to a three-man jet crew, with flight engineers having prior rights to the third seat and eligibility for training at company time and expense.

At other times, the parties materially changed the recommendations in their final agreements, such as in the settlement between the Machinists' flight engineers and Northwest (Emergency Board 102) in which the parties substituted a monthly base pay with additional compensation based on hours, miles, and gross weight for the board recommendation of an increase in the existing flat monthly salary based on longevity.

Even when the boards were unsuccessful in reconciling the parties' differences, they did narrow the scope of the dispute so that the parties were able to effect a settlement in less time and with less interruption of airline services. For instance, in Emer-

gency Board 90 some rule proposals were withdrawn or agreed upon during the hearings.

Except for Emergency Board 124, in which recommendations on specific issues were not issued, all post-emergency board strikes were disputes in which one party rejected the recommendations entirely. No post-emergency board strikes occurred in situations in which partial rejections were registered.

Methods of settlement

Over the 34-year period, few emergency board reports have served as a basis for quick settlement⁵⁶ of airline disputes. Even after the emergency boards' appointments and the issuance of their reports, the National Mediation Board generally reentered the case, offering its mediatory assistance and the use of arbitration, as evidenced by the number of mediation and arbitration agreements consummated by the parties. The principal method of settlement was ascertainable for 31 emergency cases. Of these, 10 accords were reached by mediation, 6 by arbitration, and 14 by the parties directly.⁵⁷ Flight groups accounted for five of the arbitration agreements, four of which concerned rules and the fifth, rules and wages. Of the 15 party agreements, 8 were signed by flight personnel, 5 by ground classes, and 2 by both. All 5 party agreements dealing with rules were consummated by flight personnel. Ground employee groups were involved in seven wage

⁵² Substantive recommendations were issued in Emergency Boards 36, 38, 90, 94, 99, 101-03, 120-23, 125, 128, 136, 140, 142, 144, 146, 156, 166-68; less detailed recommendations, in Emergency Boards 62, 135, and 143. No formal emergency board reports or recommendations were promulgated by Emergency Boards 67, 100, 108, 124, 149, 152, and 158.

⁵³ Although the parties initial response was favorable, the parties deviated from the recommendations in subsequent negotiations.

⁵⁴ Lack of available information made it impossible to include the response of the parties involved in Emergency Board 38.

⁵⁵ *Seventeenth Annual Report of the National Mediation Board* (for the Fiscal Year ending June 30, 1951), p. 33.

⁵⁶ It is assumed that a negotiated agreement was the principal method of settlement when there was no indication that either a mediation agreement or an arbitration agreement was consummated. In boards involving more than one carrier or union, the method of disposition was determined by the author's knowledge of the prevalent means of settlement used by the parties.

⁵⁷ The principal method of settlement in Emergency Board 122 in which one party agreement and one mediation agreement was consummated was not included. In the immediate discussion dealing with the number of each type of settlement, the two agreements were included.

settlements, including one signed by both flight and ground crafts. One-half of the mediation agreements, the majority dealing with wages, were secured by flight personnel.

During the 1936-69 period, as the following tabulation indicates, labor and management were more inclined to dispose of emergency board disputes by negotiated agreements than the other two methods of settlement. During the 1955-69 period, the parties increased their reliance on arbitration agreements rather than on direct negotiations.

	1936-69	1955-69	1936-54
Number, total	30	21	9
Arbitration agree- ments	6	5	1
Mediation agree- ments	10	7	3
Party agreements	14	9	5
Percent, total	100.0	100.0	100.0
Arbitration agree- ments	20.0	23.8	11.1
Mediation agree- ments	33.3	33.3	33.3
Party agreements	46.7	42.9	55.6

SOURCE: National Mediation Board data.

Disposition

Of the 33 emergency boards, 6 were disposed of by the parties, with or without the aid of the Board, either before board members were appointed or before a formal report was issued. All six were settled without a strike, three with the mediatory assistance of the Board. Except for one (Emergency Board 100), these boards involved ground employee groups, organized by the Machinists and Transport Workers, with rates of pay as the principal subject in dispute.

The remaining 27 emergency board disputes, 17 of which involved flight employees, were settled after a formal emergency board report. Of these 27 boards, approximately one-half were concerned with wages and one-half with rules. Following the boards' reports, eight of the above 27 post-emergency settlements were preceded by a work stoppage. Seven of these were primarily concerned with the actual or

anticipated effects of technological changes on wages and work rules. Nine strikes were called by airline employees participating in these eight emergency boards (two in Emergency Board 62 and three in Emergency Board 122, one of which also involved the parties in Emergency Board 120). Moreover, seven work stoppages occurred prior to the creation or appointment of an emergency board,⁵⁸ a legal course of action once a 30-day status quo period has been observed.

In total, then, 14 disruptions of airline services, were evident in 12 emergency boards. Only one was an illegal work stoppage called in defiance of the Railway Labor Act emergency procedures. Even though Emergency Board 135 was created to hear the job security dispute between the Flight Engineers (FEIA) and Pan American, those employees refused flight assignments for 7 days, an action which resulted in 100,000 man-days of idleness for 20,000 workers.

Combined, the 14 work stoppages entailed 4,326,911 man-days lost by 187,953 airline employees. This represented 72.1 percent of all airline man-days idle during 1936-69 and 46.8 percent of all airline workers involved in strikes during the same period. As the following tabulation indicates, ground crafts accounted for a substantial share of these losses, largely because of six machinists' strikes, such as, a 43-day stoppage in 1966 which involved 70,858 workers and 1,922,031 man-days idle and one extending for 37 days in 1958 at Capital, which involved 6,838 workers and 184,626 man-days lost.

	Workers involved		Man-days idle	
	Number	Percent	Number	Percent
Total, all airline work stoppages . . .	401,862		5,988,345	
Total, emergency disputes	187,953	100.0	4,326,911	100.0
Flight	75,493	40.2	1,615,202	37.3
Ground	94,353	50.2	2,333,447	53.9
Both	18,107	9.6	378,262	8.7

SOURCE: Bureau of Labor Statistics.

⁵⁸ Two of these strikes (Emergency Board 62) extended both prior to and after the creation of the board.

Chapter VI. Airline Work Stoppages

One indicator of the development and status of the collective bargaining relationship was the frequency and intensity of work stoppages during the 34-year span under consideration. Between 1936-69, the airlines experienced 129 work stoppages—slightly under four a year—that involved 401,862 workers and 5,988,345 man-days of idleness, averaging 46,421.2 man-days and 3,115 workers annually. (See appendix 4.) By far, the largest number of strikes, involving the majority of workers and man-days idle, have occurred since 1954, as would be expected by the dynamic growth in the number of workers employed and the concurrent organization of the various crafts by the airline unions. In the post-1954 period, the average annual number of workers involved in the stoppages and the average annual number of man-days idle increased substantially (1,148 employees vs. 4,000 employees and 13,076.8 man-days idle vs. 61,407.5 man-days idle), again as would be expected. (See table 6.)

Table 6. Number of airline work stoppages, workers involved, and man-days idle, 1936-69.

Years ¹	Number of stoppages	Workers involved	
		Number	Average
1936-69	129	401,862	3,115
1955-69	89	355,960	4,000
1936-54	40	45,902	1,148
		Man-days idle	
1936-69		5,988,345	46,421.2
1955-69		5,465,268	61,407.5
1936-54		523,077	13,076.8

¹ Pre-1954 and post-1955 comparisons are shown because most of the major crafts were substantially organized by 1955.

In only 9 years were there over 100,000 man-days lost; and, with one exception, these years were also characterized by 10,000 employees or more going out on strike. The later years predominated these measures of size; they accounted for 7 out of 9 man-days and 8 out of 9 workers involved in strikes between 1936 and 1969.

Other characteristics of size

Almost 57 percent of the 129 work stoppages involved groups of less than 500 employees and slightly under one-third dealt with strikes of less than 100 workers. (See appendix 4.) In the post-1954 period, the relative number of stoppages involving fewer than 100 workers and those involving 10,000 workers and over increased substantially. Each reflected the influence of a particular group of employees on a specific class of carrier. Ground employees strikes against smaller carriers, such as domestic cargo, regional and helicopter lines, and foreign carriers, made up the bulk of the under 100 size group. A large proportion of the workers in the largest size groups consisted of flight deck personnel and mechanics and related occupations, generally in dispute with a single major carrier.

Table 7. Number and percent of airline work stoppages by size, selected periods, 1936-69

Year	Total		Under 100	
	Number	Percent	Number	Percent
1936-69	129	100.0	42	32.6
1955-69	89	100.0	32	36.0
1936-54	40	100.0	10	25.0
			100 and under 500	500 and under 1,000
1936-69	31	24.0	16	12.4
1955-69	20	22.5	9	10.1
1936-54	11	27.5	7	17.5
			1,000 and under 10,000	10,000 and over
1936-69	30	23.3	10	7.8
1955-69	19	21.3	9	10.1
1936-54	11	27.5	1	2.5

Another prominent characteristic of these work stoppages was the number of companies and unions participating in the disputes. As would be expected by the relative lack of bargaining coordination, single-unit work stoppages were most common (123). Only six strikes, five of which occurred in the 1955-69

period, were multi-unit in nature: One in 1945 involving two carriers and two unions; one in 1958 and two in 1967 dealing with two unions; one 7-carrier strike in 1961; and one 5-carrier work stoppage in 1966. Of these six multi-unit strikes, two were "industrywide" in nature—the 7-carrier-FEIA dispute in 1961 and the 5-carrier-IAM dispute in 1966.

Stoppages involving 10,000 workers or more were almost as infrequent as multi-unit disputes. (See table 8.) Over the three-plus decades, 10 major strikes of this magnitude occurred in the airline industry, all but one since 1955.

In a vast majority of major work stoppages, the principal subjects in dispute were wages and work rules, i.e., the FEIA-Eastern job security strike in 1962 and the IAM-5-carrier wage dispute in 1966. Major airline disputes accounted for the bulk of the man-days of idleness (76.4 percent) and of the employees (70.9 percent) involved in all stoppages between 1936 and 1969. The duration of these large strikes ranged from 7 days in an FEIA-7-carrier job security controversy in 1961 to 82 days in an Eastern-FEIA wages and rules dispute in 1962; the mean was 27.0 days.

Table 8. Major airline work stoppages, selected years, 1936-69¹

Year	Carrier(s)	Union(s)	Number of workers involved ²	Duration (in days)	Man-days idle	Work stoppages		
						No emergency board created	Prior to the creation of an emergency board	Following (Section 10) "status quo" period
1936-45	No stoppages							
1946	TWA	ALPA	12,967	26	244,267			x
1958	TWA	IAM	14,123	16	141,230			x
	American ³	ALPA	20,819	22	118,081			x
	Eastern	IAM and FEIA	14,252	38	370,552			x
1961	Pan American	FEIA	73,483	7	329,434		⁴ x	
	Western							
	Eastern							
	National							
	Flying Tiger							
1962	American							
	TWA							
1962	Eastern	FEIA	17,107	⁵ 82	912,401			x
1965	Pan American	ALPA	17,221	11	137,768	x		
1966	Eastern	IAM	70,858	43	1,922,031			x
	National							
	Northwest							
	United							
1969	TWA							
	Pan American	TCWH	24,050	4	96,200	x		
	American	TWU	20,225	21	303,375	x		

¹ Work stoppages involving 10,000 workers or more, lasting more than 1 day.

² Number of workers involved may include members of other unions or nonunion workers idled by disputes in the same establishment.

³ *Dimensions of Major Work Stoppages 1947-59*, BLS Bulletin 1298, p. 14.

⁴ Shortly after Emergency Board No. 135 was created, flight engineers refused assignments at the 7 carriers.

⁵ Full operations resumed in mid-September without a formal settlement after some engineers returned to work and other personnel were trained as flight engineers.

SOURCE: Bureau of Labor Statistics *Analysis of Work: Stoppages* annual bulletins, 1936-69. National Mediation Board *Annual Report*, 1936-69.

Duration

In comparison with the major strikes, the average mean duration of all airline work stoppages over the 34-year span was 21.2 days, which was also the average for both the 1936-54 and the 1955-69 periods. Interestingly, the average duration for the Nation as a whole was slightly less than 1 day (0.7 days) below the airline average over the 1936-69 period, 2.5 days shorter in the 1936-54 period, and approximately 1 day (1.2 days) longer in the 1955-69 period.⁵⁹

Slightly more than 50 percent of the airline disputes lasted 6 days or less; and approximately 80 percent continued for fewer than 30 days:

Duration 1936-69	Number of stoppages	Percent of total
6 days or less	67	51.9
Less than 15 days	85	65.9
Less than 30 days	104	80.1
Less than 60 days	116	89.9
Less than 90 days	122	94.5

Only 7 of the 129 work stoppages extended for more than 90 days, five of which occurred after 1954. Of the prolonged strikes, the flight engineers and mechanics were involved twice; and the pilots, three times. Only three unions—IAM and ALPA three times each; FEIA, once—and three crafts participated in work stoppages whose duration extended beyond 90 days.

The uneven distribution of prolonged strikes in the subperiods illustrated another important characteristic of airline work stoppages. Over the years, the relative number of longer strikes (more than 30 days) increased while the relative number of work stoppages with a shorter duration declined. Perhaps, this relationship has been influenced by the increased ability of the parties to sustain a strike through the establishment of strike funds, Mutual Aid Pact, and other forms of cooperative ventures.

Flight vs. ground personnel

Another pattern in the airline work stoppages was the different involvement of major occupational groups. Between 1936 and 1969, ground personnel were involved in 101 stoppages, and flight employees participated in 30 work stoppages during the same period.⁶⁰

Ground crafts were involved in the majority of labor-management disputes, especially in the 1955-69 period when they increased their strike participation rate vis-a-vis the flight groups. (See table 9.)

Table 9. Distribution of major groups involved in stoppages, selected periods, 1936-69

Years	All work stoppages		Flight	
	Number	Percent	Number	Percent
1936-69	129	100.0	28	21.7
1955-69	89	100.0	15	16.9
1936-54	40	100.0	13	32.5
	Ground		Both	
1936-69	99	76.7	2	1.6
1955-69	73	82.0	1	1.1
1936-54	26	65.0	1	2.5

Another important difference between flight and ground personnel strikes was the incidence of issues involved in their disputes. (See table 10.) In each of the three periods (1936-69, 1955-69, 1936-54) for flight personnel, economic issues were more numerous in both absolute and relative terms than job security issues. Moreover, the relative distribution of major issues precipitating flight disputes remained extremely stable in all three time periods; economic issues were the primary reason for 57.1 percent of all flight work stoppages between 1936 and 1954 and 56.2 percent between 1955 and 1969. On the other hand, the incidence of major issues was not invariant for the ground crafts. In the pre-1955 period, economic issues, especially wages, predominated in ground labor-management disputes and accounted for 55.6 percent of all ground work stoppages. In 1955-69 and for the entire period 1936-69, noneconomic issues, particularly plant administration and union organization and security, became the principal subjects in dispute; they generated 67.6 percent and 61.4 percent of the strikes, respectively.

⁵⁹ For the Nation as a whole, analysis was conducted exclusive of 1969 data which was unavailable when this bulletin was prepared.

⁶⁰ In two cases both groups were involved.

Table 10. Major issues in airline work stoppages, by craft, selected periods, 1936-69

Issues	1936-69		1955-69	
	Flight	Ground	Flight	Ground
Economic	¹ 17	¹ 39	9	24
Wages	¹ 13	¹ 34	9	21
Supplementary benefits	-	2	-	2
Wage adjustments	3	3	-	1
Hours of work	1	-	-	-
Security	13	62	7	50
Union organization and security	1	20	-	15
Job security	¹ 7	¹ 17	¹ 4	¹ 11
Plant administration	5	21	3	21
Other working conditions	-	1	-	1
Interunion or Intra-union	-	3	-	2
	1936-54			
Economic			¹ 8	¹ 15
Wages			¹ 4	¹ 13
Supplementary benefits			-	-
Wage adjustments			3	2
Hours of work			1	-
Security			6	12
Union organization and security			1	5
Job security			3	6
Plant administration			2	-
Other working conditions			-	-
Interunion or Intra-union			-	1

¹ Includes 1 strike where both flight and ground were involved.

Flight employee disputes were larger and longer on the average than stoppages called by ground personnel although mechanics' strikes displayed a similar tendency. (See appendix 4 and table 11.)

This observation was also substantiated by the flight crafts' participation in stoppages involving fewer than 100 workers and those involving 10,000 workers or more. Of the 42 smaller strikes, 36 were called by

Table 11. Number of workers and man-days idle in airline work stoppages by major occupational group, selected period, 1936-69

Years	Ground	
	Average number of workers	Average man-days idle
1936-69	2,305	35,994.3
1955-69	2,803	46,537.5
1938-54	904	7,098.1
	Flight	
1936-69	6,239	91,039.5
1955-69	10,175	149,502.8
1938-54	1,742	24,224.2

ground employee groups and six by flight personnel. Over the years, relatively fewer flight stoppages and relatively more ground strikes were in this category, demonstrating the tendency for ground employee strikes to involve smaller carriers and to entail lower economic losses than did flight personnel work stoppages as shown below:

Years	Ground	Flight
1936-69	36	6
1955-69	29	3
1936-54	7	3

Issues

Within the 34-year span, the incidence of major issues in the airline industry varied considerably; but some patterns did emerge. (See appendixes 4 and 6 and table 12.) These issues were classified into those involving economic matters, such as supplementary benefits, wage adjustments, and hours of work; and those concerned with workers' security, i.e., union organization and security, job security, plant administration, other working conditions, and interunion or intraunion matters.

Table 12. Airline work stoppages, selected periods, 1939-69, by major issue

Years	Economic issues									
	Wages		Supplementary benefits		Wage adjustments		Hours of work		Total economic issues	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1936-69	46	35.7	2	1.6	6	4.6	1	0.8	55	42.6
1955-69	30	33.7	2	2.2	1	1.1		0	33	37.1
1936-54	16	40.0		0	5	12.5	1	2.5	22	55.0
	Security issues									
					Union organization and security		Job security		Plant administration	
1936-69					21	16.3	23	17.8	26	20.2
1955-69					15	16.9	14	15.7	24	27.0
1936-54					6	15.0	9	22.5	2	5.0
					Other working conditions		Intraunion or interunion matters		Total survival issues	
1936-69					1	0.8	3	2.3	74	57.4
1955-69					1	1.1	2	2.2	56	62.9
1936-54						0	1	2.5	18	45.0

Table 13. Duration of airline work stoppages and issues involved

Issue ¹	Duration					
	30 days and over		60 days and over		90 days and over	
	Number	Percent	Number	Percent	Number	Percent
Wages	12	48.0	7	53.8	3	42.8
Union organization and security	6	24.0	4	30.8	2	28.6
Job security	5	20.0	1	7.7	1	14.3
Plant administration...	1	4.0	1	7.7	1	14.3

¹ Based on 129 strikes and all issues (including hours, wage adjustments, supplementary benefits, interunion or intraunion matters, and other working conditions).

Of the issues that were reported to be the cause of a significant number of stoppages, wages was by far the principal subject in dispute in both absolute and relative terms during the three time periods. Although the results were not completely consistent in all periods, plant administration was the next most troublesome issue, followed by job security and union organization and security, respectively.

The two issues generating internal pressure—union organization and security and job security—on the average had the longest duration (31.9 days and 24.9 days, respectively), followed by wages (24.0 days) and plant administration (9.4 days). (See table 13.) Survival issues, on the other hand, engendered longer periods of dispute than economic issues; but, within these two major categories, wages was the issue in most of the longer strikes.

In the terms of the number of man-days idle and workers involved, economic issues generated greater losses than did noneconomic issues, primarily because of the number of major work stoppages based on wages or wage adjustments (eight entailing 3,875,353 man-days lost by 197,370 workers). Within these two major categories, wages was again the primary issues. (See table 14.)

Table 14. Number of airline work stoppages, workers involved and man-days idle, by issue involved, 1936-69

Issue	Number of stoppages	Workers involved		
		Number	Percent of total 1936-69	Average number per stoppage
Total, all work stoppages	129	401,862	100.0	3,115
Wages	46	238,532	59.4	5,185
Union organization and security . . .	21	8,927	2.2	425
Job security	23	106,741	26.6	4,641
Plant administration	26	28,281	7.0	1,088
		Man-days idle		
Total, all work stoppages		5,988,345	100.0	46,421
Wages		4,434,373	74.1	96,399
Union organization and security		279,107	4.7	13,290
Job security		814,005	13.6	35,391
Plant administration		174,834	2.9	6,724

Appendix 1. Airline unions

Union	Initials used by—		Membership (1968)	
	National Mediation Board ¹	Bureau of Labor Statistics	Total	In airline industry
Air Line Employees Association ² (AFL-CIO)	ALEA	ALEA	8,500	8,500
Air Line Dispatchers Association (AFL-CIO)	ALDA	ALDA	930	930
Air Line Pilots Association, International (AFL-CIO)	ALPA	ALPA	24,155	24,155
Air Line Stewards and Stewardesses Association, International ² (AFL-CIO)	ALSSA	ALSSA	8,000	8,000
Aircraft Mechanics Fraternal Association (Ind.)	AMFA	AMFA	—	—
Allied Pilots Association (Ind.)	APA	APA	3,500	3,500
Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees (AFL-CIO)	BRAC	BRASC	320,000	³ 12,000
Communication Workers of America (AFL-CIO)	CWA	CWA	357,500	³ 600
Flight Engineers International Association (AFL-CIO)	FEIA	FEIA	1,700	1,700
International Association of Machinists and Aerospace Workers (AFL-CIO)	IAM and AW	IAM	903,015	³ 80,000
International Brotherhood of Teamsters, Chauffers, Warehousemen and Helpers of America (Ind.)	IBT	TCWH or IBT	1,755,025	³ 30,000
Transport Workers Union of America (AFL-CIO)	TWU	TWU	97,754	³ 47,695

¹ Corresponds to employee representatives found in table on page 8.

² Affiliate of ALPA.

³ Union estimate.

Appendix 2. Airline¹ involvement in RLA procedures, fiscal years 1936-69

Year	Collective bargaining agreements ²				Mediation cases ²			
	Total	Railroads	Airlines		Total	Railroads	Airlines	
			Number	Percent of total number			Number	Percent of total number
1936	3,485	3,485	0	0	81	81	0	0
1937	3,836	3,832	4	.10	158	158	0	0
1938	4,055	4,039	16	.39	101	98	3	2.97
1939	4,095	4,061	34	.83	148	144	4	2.70
1940	4,193	4,149	44	1.05	182	178	4	2.20
1941	4,292	4,233	59	1.37	171	166	5	2.92
1942	4,390	4,319	71	1.62	228	223	5	2.19
1943	4,466	4,389	77	1.72	234	229	5	2.14
1944	4,563	4,484	79	1.73	217	214	3	1.38
1945	4,665	4,567	98	2.10	359	348	11	3.06
1946	4,833	4,694	139	2.88	381	348	33	8.66
1947	4,937	4,769	168	3.40	242	206	36	14.88
1948	5,002	4,811	191	3.82	259	209	50	19.31
1949	5,060	4,836	224	4.43	309	246	63	20.39
1950	5,092	4,851	241	4.73	234	185	49	20.94
1951	5,102	4,858	244	4.78	269	203	66	24.54
1952	5,118	4,864	254	4.96	273	201	72	26.37
1953	5,137	4,878	259	5.04	297	225	72	24.24
1954	5,157	4,887	270	5.24	250	171	79	31.60
1955	5,180	4,905	275	5.31	312	241	71	22.76
1956	5,190	4,913	277	5.34	324	260	64	19.75
1957	5,196	4,916	280	5.39	263	205	58	22.05
1958	5,205	4,925	280	5.38	305	228	77	25.25
1959	5,215	4,933	282	5.41	248	165	83	33.47
1960	5,218	4,934	284	5.44	226	153	73	32.30
1961	5,220	4,935	285	5.46	229	177	52	22.71
1962	5,221	4,935	286	5.48	205	152	53	25.85
1963	5,226	4,940	286	5.47	199	133	66	33.17
1964	5,228	4,941	287	5.49	252	198	54	21.43
1965	5,230	4,942	288	5.51	236	188	48	20.34
1966	5,235	4,945	290	5.54	236	200	36	15.25
1967	5,275	4,957	318	6.03	242	181	61	25.21
1968	5,285	4,961	324	6.13	284	212	72	25.35
1969	5,404	5,050	354	6.55	343	306	37	10.79

See footnotes at end of table.

Appendix 2. Airline¹ involvement in RLA procedures, fiscal years 1936-69—Continued

Year	Mediation cases ²				Disposition ³		
	Airlines				Mediation ⁴ agreements	Arbitration ⁴ agreements	Emergency boards
	Major issues						
	Agreements	Rates of pay	Rules	Miscellaneous			
1936	-	-	-	-	-	0	
1937	-	-	-	-	-	0	
1938	-	-	-	-	-	0	
1939	-	-	-	-	-	0	
1940	-	-	-	-	-	0	
1941	-	-	-	-	-	0	
1942	-	-	-	-	-	0	
1943	-	-	-	-	-	0	
1944	-	-	-	-	-	0	
1945	-	-	-	-	-	0	
1946	-	-	-	-	-	0	
1947	-	-	-	-	-	2	
1948	-	-	-	-	-	0	
1949	-	-	-	-	-	2	
1950	-	-	-	-	-	0	
1951	-	-	-	-	-	2	
1952	-	-	-	-	-	2	
1953	-	-	-	-	-	3	
1954	-	-	-	-	-	0	
1955	5	54	9	3	47	1	
1956	4	45	7	8	41	0	
1957	5	42	10	1	40	0	
1958	2	35	39	1	49	0	
1959	2	69	12	0	56	6	
1960	2	45	26	0	40	1	
1961	2	34	16	0	31	2	
1962	1	44	8	0	31	5	
1963	1	55	10	0	48	2	
1964	0	4	50	0	23	2	
1965	0	5	43	0	32	0	
1966	0	24	12	0	30	1	
1967	3	28	30	0	43	2	
1968	3	50	19	0	50	0	
1969	0	0	37	0	25	0	

¹ The definition of the industry group conforms to industry classifications 4511 and 4512 in the Standard Industrial Classification Manual, 1967 Edition.

² Collective bargaining agreements on file with the National Mediation Board and mediation cases disposed of in a fiscal year ending June 30.

³ The difference between the total number of mediation cases disposed of and those settled by means of mediation, arbitration, and emergency boards is accounted for by withdrawals, dismissals, and other means of settlement.

⁴ Refers to the means by which mediation cases are "disposed" of during the fiscal year.

NOTE: Dashes indicate no data available.

SOURCE: National Mediation Board annual reports; Bureau of Labor Statistics annual reports on work stoppages.

**Appendix 3. Airline mediation cases disposed of by National Mediation Board 1936-69,
by major occupational group**

Major occupational groups	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945 ¹	1946	1947
Combined airline ²	0	0	0	0	0	0	0	0	0	-	2	2
Mechanics	0	0	2	2	1	1	2	0	2	-	9	4
Radio and teletype operators	0	0	0	0	0	0	0	0	0	-	5	4
Clerical, office, stores, fleet and passenger service	0	0	0	0	0	0	³ 1	³ 1	0	-	3	2
Stewards, stewardesses and flight persons	0	0	0	0	0	0	0	0	1	-	1	1
Pilots	0	0	1	2	3	4	2	4	0	-	7	17
Dispatchers	0	0	0	0	0	0	0	0	0	-	0	0
Mechanical foremen	0	0	0	0	0	0	0	0	0	-	0	0
Meteorologists	0	0	0	0	0	0	0	0	0	-	0	0
Flight engineers	0	0	0	0	0	0	0	0	0	-	0	0
Navigators	-	-	-	-	-	-	-	-	-	-	5	-
Miscellaneous	0	0	0	0	0	0	0	0	0	-	1	6
Total	0	0	3	4	4	5	5	5	3	11	33	36
	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959
Combined airline ²	3	0	2	1	2	0	1	0	0	0	6	5
Mechanics	8	22	8	12	20	19	24	26	14	18	14	12
Radio and teletype operators	6	6	7	7	4	7	4	5	3	5	0	8
Clerical, office, stores, fleet and passenger service	7	7	5	8	13	9	5	3	6	3	8	13
Stewards, stewardesses and flight persons	5	12	6	11	3	4	9	5	4	9	9	12
Pilots	11	6	5	13	21	12	19	19	19	9	21	19
Dispatchers	3	7	8	2	3	8	8	7	7	7	7	4
Mechanical foremen	0	0	1	0	0	0	0	0	0	0	0	0
Meteorologists	3	1	1	1	0	0	0	1	2	1	0	0
Flight Engineers	1	2	3	8	3	6	3	1	6	2	5	7
Navigators	1	0	-	-	-	-	-	-	-	-	-	-
Miscellaneous	2	0	3	3	3	7	6	4	3	4	7	3
Total	50	63	49	66	72	72	79	71	64	58	77	83
	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1936-69	
Combined airline ²	2	0	0	3	0	1	5	7	5	0	47	
Mechanics	7	8	18	17	14	15	6	16	20	16	357	
Radio and teletype operators	2	3	1	1	0	1	0	1	2	1	83	
Clerical, office, stores, fleet and passenger service	13	6	6	4	8	6	1	11	5	2	156	
Stewards, stewardesses and flight persons	6	4	4	10	4	6	2	3	11	2	144	
Pilots	24	13	18	23	20	12	7	15	14	8	368	
Dispatchers	8	3	1	2	4	5	5	2	5	2	108	
Mechanical foremen	0	0	0	0	0	0	0	-	-	-	1	
Meteorologists	1	0	0	0	0	0	1	0	1	2	15	
Flight engineers	5	7	3	1	3	0	4	1	2	4	77	
Navigators	-	-	-	-	-	-	-	-	-	-	6	
Miscellaneous	5	8	2	5	1	2	5	5	7	0	92	
Total	73	52	53	66	54	48	36	61	72	37		

¹ No distribution available.

² Mediation cases in which more than 1 craft was involved.

³ Stock clerks.

SOURCE: National Mediation Board data.

Appendix 4. Annual highlights of work stoppages in the airline industry, 1936-69

(Workers and man-days in thousands)

Year	Stoppages	Workers involved ¹	Man-days idle ¹	Distribution of number of stoppages by size of unit															Mean ² duration (in calendar days)	Issues involved		
				Under 100 workers			100 and under 500 workers			500 and under 1,000 workers			1,000 and under 10,000 workers			10,000 workers and over				General wages		
				Flight	Ground	Both	Flight	Ground	Both	Flight	Ground	Both	Flight	Ground	Both	Flight	Ground	Both		Stoppages	Workers involved ¹	Man-days idle ¹
1969 ³	5	55.7	556.6	-	-	-	-	-	-	-	-	1	2	-	-	2	-	14.8	3	52.0	508.8	
1968	6	2.1	7.7	-	3	-	-	-	-	-	3	-	-	-	-	-	-	16.2	1	.1	4.9	
1967	11	7.0	29.6	-	3	-	-	5	-	-	1	-	-	2	-	-	15.1	4	1.6	16.4		
1966	8	72.3	1,945.3	-	5	-	-	-	-	-	2	-	-	-	-	1	18.0	3	71.5	1,924.5		
1965	3	17.4	139.9	-	1	-	-	1	-	-	-	-	-	-	-	1	31.0	2	17.2	139.0		
1964	9	13.7	31.5	-	2	-	-	5	-	-	-	-	-	2	-	-	6.8	5	13.0	30.3		
1963	6	3.4	4.7	1	2	-	-	1	-	-	1	-	-	1	-	-	12.3	-	-	-		
1962	1	17.1	913.4	-	-	-	-	-	-	-	-	-	-	-	-	1	82.0	1	17.1	912.4		
1961	2	77.1	343.8	-	-	-	-	-	-	-	-	-	-	1	-	1	6.5	1	3.6	14.3		
1960	9	16.4	336.3	-	2	-	-	1	-	-	1	-	-	2	-	-	54.0	3	4.9	254.7		
1959	5	5.3	9.5	-	2	-	-	1	-	-	-	-	-	2	-	-	8.4	-	-	-		
1958	12	62.9	975.2	1	3	-	-	1	-	-	1	-	-	1	-	1	20.3	6	44.1	595.9		
1957	2	3.0	68.4	-	1	-	-	-	-	-	-	-	-	1	-	-	21.5	-	-	-		
1956	3	1.6	74.2	-	2	-	-	-	-	-	-	-	-	1	-	-	29.3	-	-	-		
1955	7	1.0	30.4	1	3	-	-	1	2	-	-	-	-	-	-	-	25.8	1	(*)	(*)		
1954	4	3.5	34.5	-	2	-	-	1	-	-	-	-	-	1	-	-	8.2	2	(*)	(*)		
1953	7	3.8	30.7	1	2	-	-	1	-	-	1	-	-	2	-	-	15.1	3	2.3	7.3		
1952	7	2.5	7.7	-	2	-	-	2	1	-	2	-	-	-	-	-	4.9	3	.8	4.9		
1951	5	6.7	25.5	-	-	-	-	1	-	-	1	-	-	1	-	1	7.2	2	4.0	8.0		
1950	3	8.3	38.1	1	-	-	-	-	-	-	-	-	-	2	-	-	4.7	1	4.0	4.0		
1949	3	.4	1.2	1	-	-	-	1	1	-	-	-	-	-	-	-	3.3	2	.4	1.0		
1948	3	1.8	113.8	-	-	-	-	1	-	-	2	-	-	-	-	-	165.7	-	-	-		
1947	2	1.5	11.0	-	-	-	-	1	-	-	-	-	-	1	-	-	25.5	1	.2	5.3		
1946	2	14.7	246.8	-	-	-	-	-	-	-	-	-	-	1	-	1	15.5	1	1.7	2.6		
1945	2	2.7	12.0	-	-	-	-	-	-	-	-	-	-	2	-	-	6.5	-	-	-		
1944	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
1943	1	(*)	(*)	-	1	-	-	-	-	-	-	-	-	-	-	-	1.0	1	(*)	(*)		
1942	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
1941	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
1940	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
1939	1	.1	1.7	-	-	-	-	1	-	-	1	-	-	-	-	-	20.0	-	-	-		
1938	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
1937	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
1936	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Totals, ⁵ 1936-69	129	401.9	5,988.3	6	36	-	8	23	-	2	13	-	7	23	1	5	4	1	21.5	46	238.5	4,434.4

See footnotes at end of table.

Appendix 4. Annual highlights of work stoppages in the airline industry, 1936-69—Continued

(Workers and man-days in thousands)

Year	Issues involved—Continued																								
	Supplementary benefits			Wage adjustment			Hours of work			Job security			Union organization and security			Plant administration			Interunion or intraunion matters			Other working conditions			
	Stop-pages	Workers in- ¹ volved	Man-days idle ¹	Stop-pages	Workers in- ¹ volved	Man-days idle ¹	Stop-pages	Workers in- ¹ volved	Man-days idle ¹	Stop-pages	Workers in- ¹ volved	Man-days idle ¹	Stop-pages	Workers in- ¹ volved	Man-days idle ¹	Stop-pages	Workers in- ¹ volved	Man-days idle ¹	Stop-pages	Workers in- ¹ volved	Man-days idle ¹	Stop-pages	Workers in- ¹ volved	Man-days idle ¹	
1969 ³	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	3.7	47.8	-	-	-	-	-	-	
1968	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	1.5	2.3	-	-	-	-	1	0.5	0.5
1967	-	-	-	-	-	-	-	-	-	-	-	-	1	(⁴)	(⁴)	4	3.9	11.2	2	1.6	2.0	-	-	-	
1966	1	0.6	19.5	-	-	-	-	-	-	-	-	-	-	(⁴)	0.8	3	.2	.4	-	-	-	-	-	-	
1965	-	-	-	-	-	-	-	-	-	-	-	-	1	0.2	.9	-	-	-	-	-	-	-	-	-	
1964	1	(⁴)	.1	-	-	-	-	-	2	0.7	1.0	-	-	-	-	1	(⁴)	.1	-	-	-	-	-	-	
1963	-	-	-	-	-	-	-	-	3	2.3	3.5	1	(⁴)	.2	2	1.0	1.0	-	-	-	-	-	-	-	
1962	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1961	-	-	-	-	-	-	-	-	1	73.5	329.4	-	-	-	-	-	-	-	-	-	-	-	-	-	
1960	-	-	-	-	-	-	-	-	-	-	-	3	1.6	14.9	3	10.0	66.7	-	-	-	-	-	-	-	
1959	-	-	-	-	-	-	-	-	3	2.5	3.9	-	-	-	2	2.7	5.6	-	-	-	-	-	-	-	
1958	-	-	-	1	0.2	0.2	-	-	2	17.8	377.7	1	(⁴)	(⁴)	2	.7	1.3	-	-	-	-	-	-	-	
1957	-	-	-	-	-	-	-	-	-	-	-	2	3.0	68.4	-	-	-	-	-	-	-	-	-	-	
1956	-	-	-	-	-	-	-	-	1	(⁴)	.1	2	1.5	74.1	-	-	-	-	-	-	-	-	-	-	
1955	-	-	-	-	-	-	-	-	2	.4	5.3	3	.4	24.9	1	.2	.2	-	-	-	-	-	-	-	
1954	-	-	-	-	-	-	-	-	1	.4	2.0	-	-	-	1	3.1	32.5	-	-	-	-	-	-	-	
1953	-	-	-	-	-	-	-	-	3	1.4	21.5	1	(⁴)	1.9	-	-	-	-	-	-	-	-	-	-	
1952	-	-	-	1	.6	1.8	-	-	1	.9	.9	2	.1	.1	-	-	-	-	-	-	-	-	-	-	
1951	-	-	-	-	-	-	1	0.9	7.8	1	.8	1	1.0	8.0	-	-	-	-	-	-	-	-	-	-	
1950	-	-	-	1	(⁴)	(⁴)	-	-	1	4.3	34.0	-	-	-	-	-	-	-	-	-	-	-	-	-	
1949	-	-	-	1	(⁴)	.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1948	-	-	-	1	.8	.8	-	-	1	.1	30.0	1	.8	83.0	-	-	-	-	-	-	-	-	-	-	
1947	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1.3	5.7	-	-	-	-	-	-	-	
1946	-	-	-	1	13.0	244.3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1945	-	-	-	-	-	-	-	-	1	1.6	3.1	-	-	-	-	-	-	1	1.1	9.0	-	-	-	-	
1944	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1943	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1942	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1941	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1940	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1939	-	-	-	-	-	-	-	-	-	-	-	-	1	.1	1.7	-	-	-	-	-	-	-	-	-	
1938	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1937	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1936	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Totals, ⁵ 1936-69	2	0.6	19.6	6	14.8	247.3	1	0.9	7.8	23	106.7	814.0	21	8.9	279.1	26	28.3	174.8	3	2.7	10.9	1	0.5	0.5	

¹ Rounded to the nearest thousand.
² Figures are simple average; each stoppages in given equal weight regardless of size.
³ Through September 1969.
⁴ Less than 100.
⁵ Because of rounding, sums of individual items may not equal totals.

Appendix 5. Duration of airline work stoppages, selected periods, 1936-69

Duration	1936-69					
	Stoppages		Workers involved		Man-days idle	
	Number	Percent	Number	Percent	Number	Percent
All stoppages	129	100.0	401,862	100.0	5,988,345	100.0
1 day	25	19.4	23,508	5.8	23,508	.4
2 to 3 days	28	21.7	26,050	6.5	53,637	.9
4 to 6 days	14	10.9	30,762	7.7	122,692	2.0
7 to 14 days	18	14.0	110,823	27.6	597,423	10.0
15 to 29 days	19	14.7	85,535	21.3	1,029,649	17.2
30 to 59 days	12	9.3	97,585	24.3	2,611,683	43.6
60 to 89 days	6	4.7	19,105	4.8	998,326	16.7
90 days and over	7	5.4	8,494	2.1	551,427	9.2
	1955-69					
All stoppages	89	100.0	355,960	100.0	5,465,268	100.0
1 day	16	19.1	17,192	4.8	17,192	.3
2 to 3 days	19	21.3	16,353	4.6	36,146	.7
4 to 6 days	9	10.1	29,141	8.2	115,012	2.1
7 to 14 days	12	13.5	103,513	29.1	542,201	9.9
15 to 29 days	13	14.6	66,803	18.8	733,254	13.4
30 to 59 days	9	10.1	96,322	27.1	2,584,111	47.3
60 to 89 days	6	6.7	19,105	5.4	998,326	18.3
90 days and over	5	5.6	7,531	2.1	438,429	8.0
	1936-54					
All stoppages	40	100.0	45,902	100.0	523,077	100.0
1 day	9	22.5	6,316	13.8	6,316	1.2
2 to 3 days	9	22.5	9,697	21.1	17,491	3.3
4 to 6 days	5	12.5	1,621	3.5	7,680	1.5
7 to 14 days	6	15.0	7,310	15.9	55,222	10.6
15 to 29 days	6	15.0	18,732	40.8	295,795	56.5
30 to 59 days	3	7.5	1,263	2.8	27,572	5.3
60 to 89 days	-	-	-	-	-	-
90 days and over	2	5.0	963	2.1	113,001	21.6

Appendix 6. Duration of airline work stoppages, by major issue, selected periods, 1936-69

Duration	Issues								
	General wage			Supplementary benefits			Wage adjustment		
	1936-69	1955-69	1936-54	1936-69	1955-69	1936-54	1936-69	1955-69	1936-54
1 day	5	1	4	-	-	-	2	1	1
2 to 3 days	10	5	5	1	1	-	2	-	2
4 to 6 days	8	2	6	-	-	-	-	-	-
7 to 14 days	4	4	-	-	-	-	1	-	1
15 to 29 days	7	4	3	-	-	-	1	-	1
30 to 59 days	5	4	1	1	1	-	-	-	-
60 to 89 days	4	4	-	-	-	-	-	-	-
90 days and over	3	3	-	-	-	-	-	-	-
Total	46	27	19	2	2	-	6	1	5
Percent	35.7	30.3	47.5	1.6	2.2	-	4.6	1.1	12.5
	Hours of work			Union organization and security			Job security		
	1936-69	1955-69	1936-54	1936-69	1955-69	1936-54	1936-69	1955-69	1936-54
	1 day	-	-	-	4	2	2	6	4
2 to 3 days	-	-	-	-	-	-	5	3	2
4 to 6 days	-	-	-	2	2	-	2	2	-
7 to 14 days	1	-	1	3	3	-	4	1	3
15 to 29 days	-	-	-	6	4	2	1	1	-
30 to 59 days	-	-	-	2	1	1	4	3	1
60 to 89 days	-	-	-	2	2	-	-	-	-
90 days and over	-	-	-	2	1	1	1	-	1
Total	1	-	1	21	15	6	23	14	9
Percent	0.8	-	2.5	16.3	16.9	15.0	17.8	15.7	22.5
	Plant administration			Other working conditions			Interunion or intraunion matters		
	1936-69	1955-69	1936-54	1936-69	1955-69	1936-54	1936-69	1955-69	1936-54
	1 day	7	7	-	-	-	-	1	1
2 to 3 days	9	9	-	1	1	-	-	-	-
4 to 6 days	2	1	1	-	-	-	-	-	-
7 to 14 days	4	4	-	-	-	-	2	1	1
15 to 29 days	3	-	3	-	-	-	-	-	-
30 to 59 days	-	-	-	-	-	-	-	-	-
60 to 89 days	-	-	-	-	-	-	-	-	-
90 days and over	1	1	-	-	-	-	-	-	-
Total	26	22	4	1	1	-	3	2	1
Percent	20.2	24.7	10.0	0.8	1.1	-	2.3	2.2	2.5

Appendix 7. Chronology of the airline RLA—Emergency Board, 1936—69

National mediation board case number	Emergency board number	Date of "section 6" notice	Direct negotiations		Date of request for mediation ¹		Date of proffer of mediation	Initiation of mediation session	Proffer of arbitration		Date of national mediation board notification to president	Date emergency board created	Date of emergency board report	Disposition of emergency board dispute			
			Beginning date	Ending date	Union	Airline			Date	Rejected by				Type of agreement	Date of ² agreement	With a strike	
																Before emergency board created or during emergency board	After emergency board report
A-7841	168	5-31-66	6-7-66	6-27-66	-	6-27-66	-	6-30-66	8-25-66	Union	9-29-66	9-30-66	10-30-66	Mediation ³	12-3-66	-	-
A-7789	167	3-31-66	4-15-66	4-21-66	-	4-27-66	-	4-28-66	6-22-66	do	7-26-66	7-27-66	8-27-66	Negotiation ⁴	9-29-66	-	-
A-7655	166	10-1-65	10-18-65	1-10-66	1-11-66	1-11-66	-	2-1-66	3-18-66	do	4-15-66	4-21-66	6-5-66	do	8-19-66	-	7-8-66 to 8-19-66
A-6898	-	-	11-12-62	(⁵)	-	-	-	-	-	-	-	-	-	(⁵)	12-16-63	-	-
A-6899	-	-	11-27-62	-	-	1-23-63	-	-	-	-	-	-	-	(⁵)	Dec. '63	-	-
A-6900	158	10-31-62	(⁵)	1-18-63	1-23-63	-	-	4-2-63	9-6-63	do	12-10-63	12-11-63	(⁶)	(⁵)	Jan. '64	-	-
A-6901	-	-	(⁵)	3-4-63	-	-	-	-	-	-	-	-	-	Negotiation	1-10-64	-	-
A-6903	-	-	11-13-62	(⁵)	-	-	-	-	-	-	-	-	-	(⁵)	Dec. '63	-	-
A-6904	-	-	11-27-62	(⁵)	-	-	-	-	-	-	-	-	-	(⁵)	Jan. '64	-	-
A-6905	156	5-1-62	5-28-62	6-6-62	7-23-62	-	-	4-2-63	9-6-63	Both Union	10-4-63	10-9-63	11-18-63	Negotiation	12-30-63	-	-
A-6701	152	(⁵)	5-3-62	5-28-62	-	5-28-62	-	5-31-62	7-18-62	Carrier	8-11-62	8-14-62	(⁶)	do	9-13-62	-	-
A-6663	-	-	3-7-62	3-27-62	-	3-27-62	-	4-2-62	4-18-62	Union	6-19-62	6-20-62	do	Mediation	7-17-62	-	-
A-6582	149	8-10-61	9-6-61	10-25-61	10-26-61	-	-	1-17-62	3-19-62	do	3-16-62	3-20-62	5-1-62	Negotiation Arbitration ⁷	11-21-62	-	-
A-6406	146	10-26-60	11-16-60	Dec. '60	12-29-60	12-29-60	-	3-20-61	7-17-61	do	3-16-62	3-20-62	5-1-62	Arbitration	5-13-63	-	6-23-62 to 12-11-64
A-6289	144	2-8-60	5-16-60	7-8-60	-	7-22-60	-	9-12-60	8-16-61	do	2-21-62	2-22-62	do	Negotiation	12-11-64	-	-
A-6328	143	6-2-60	7-19-60	8-19-60	8-22-60	-	-	10-20-60	2-15-61	do	(⁸)	11-10-61	12-10-61	Arbitration	5-21-62	-	-
A-6407	142	8-30-60	9-20-60	12-15-60	12-20-60	-	-	4-24-61	6-28-61	do	10-31-61	11-15-61	12-15-61	do	5-6-62	-	-
A-6537	140	5-31-61	7-7-61	7-20-61	7-21-61	-	-	8-7-61	8-25-61	do	10-4-61	10-5-61	11-3-61	do	12-5-61	-	-
A-6176	-	-	-	2-26-60	-	3-3-60	-	4-26-60	6-3-60	Both Union	2-23-61	2-24-61	5-24-61	Negotiation	7-12-63	10-11-60 to 2-24-61	-
A-6343	136	5-31-60	6-14-60	9-13-60	9-13-60	-	-	11-7-60	1-13-61	do	2-23-61	2-24-61	5-24-61	Arbitration	7-25-62	2-17-61 ⁹	-
A-6245	135	3-8-60	5-10-60	5-18-60	-	5-24-60	-	8-2-60	1-9-61	do	2-13-61	2-17-61	6-20-61	Negotiation	11-10-62	2-23-61	-
A-6130	128	10-9-59	11-16-59	12-11-59	12-11-59	-	-	12-17-59	2-5-60	do	3-14-60	3-18-60	6-2-60	Mediation	7-2-60	-	-
E-193	125	10-30-58	11-17-58	-	-	11-26-58	4-4-59 ¹⁰	11-28-58	1-26-59	do	2-25-59	4-22-59	6-15-59	do	7-15-59	-	-
A-5567	124	6-21-57	7-15-57	8-2-57	8-7-57	-	-	10-23-57	12-6-57	do	6-11-58	6-19-58	9-3-58	do	1-11-59	-	12-19-58 to 1-11-59
A-5630	123	9-23-57	10-18-57	11-5-57	-	11-6-57	-	2-3-58	2-20-58	do	3-25-58	3-27-58	7-25-58	Negotiation	7-29-58	-	-
A-5599	-	8-1-57	8-19-57	9-30-57	9-30-57	-	-	11-25-57	1-24-58	do	-	-	-	(⁵)	12-14-58	-	11-24-58 to 12-31-58
A-5613	-	do	9-9-57	10-8-57	-	10-15-57	-	12-9-57	1-30-58	Both	-	-	-	Mediation	12-7-58	-	11-21-58 to 12-3-58
A-5615	-	8-30-57	9-24-57	10-24-57	10-24-57	-	-	12-2-57	1-25-58	Union	-	-	-	Negotiation	4-14-58	-	-
A-5618	-	do	9-17-57	10-8-57	10-24-57	10-24-57	-	1-16-58	1-29-58	do	2-24-58	2-27-58	9-15-58	Mediation	11-19-58	-	-
A-5621	122	7-30-57	(⁵)	10-10-57	10-19-57	-	-	12-16-57	2-8-58	do	-	-	-	do	2-10-58	-	-
A-5642	-	8-30-57	-	11-21-57	-	11-26-57	-	1-15-58	2-6-58	do	-	-	-	Negotiation	11-19-58	-	10-14-58 to 11-23-58
A-5643	-	8-29-57	-	11-25-57	-	do	-	12-18-57	1-31-58	do	-	-	-	do	11-25-58	-	-

See footnotes at end of table.

Appendix 7. Chronology of the airline RLA—Emergency Board, 1936—69—Continued

National mediation board case number	Emergency board number	Date of "section 6" notice	Direct negotiations		Date of request for mediation ¹		Date of proffer of mediation	Initiation of mediation session	Proffer of arbitration		Date of national mediation board notification to president	Date emergency board created	Date of emergency board report	Disposition of emergency board dispute			
			Beginning date	Ending date	Union	Airline			Date	Rejected by				Type of agreement	Date of ² agreement	With a strike	
																Before emergency board created or during emergency board	After emergency board report
E-146-----	121	3-27-57	5-14-57	11-18-57	-	-	1-10-58	1-17-58	1-24-58	do	1-27-58	1-28-58	7-21-58	do	8-22-58 1-1-59	-	-
A-5612-----	120	2-26-57	7-10-57	10-22-57	10-23-57	10-23-57	-	11-18-57	12-13-57	do	1-21-58	1-21-58	do	Mediation	12-31-58	-	11-24-58 to 12-31-58
A-4579-----	108	5-26-54	(⁵)	(⁵)	(⁵)	(⁵)	8-13-54	9-15-54	10-7-54	do	11-15-54 ¹¹	11-16-54	4-13-55	do	-	-	
A-4580-----			do	-	-												
A-4581-----			do	-	-												
A-4582-----			do	3-11-55	-												
A-4583-----			do	-	-												
A-4584-----			do	4-14-55	-												
A-3910-----	103	12-26-51	2-4-52	2-8-52	2-25-52	-	-	4-15-52	5-23-52	do	11-5-52	11-6-52	1-2-53	Negotiation	1-30-53	11-5-52 to 11-6-52	-
A-3894-----	102	9-21-51	-	2-5-52	2-29-52	-	-	3-18-52	5-29-52	do	7-9-52	7-10-52	8-29-52	(⁵)	11-5-52	-	-
A-3968-----	101	3-28-52	5-1-52	5-22-52	-	5-26-52	-	6-4-52	6-6-52	do	7-7-52	7-9-52	do	Mediation	10-24-52	-	-
A-3566-----	100	3-11-50	7-31-50	11-7-50	11-15-50	-	-	1-15-51	7-10-51 11-28-51	Carrier Union	1-3-52 ¹¹	1-4-52	(⁶)	Negotiation	4-24-52	-	-
A-3827-----	99	10-30-51	11-12-51	12-6-51	-	12-6-51	-	12-7-51	12-8-51	Both	12-15-51	12-17-51	2-16-52	do	4-14-52	12-16-51 to 12-18-51	-
A-3255-----	94	5-31-49	8-3-49	9-2-49	9-13-49	-	-	12-14-49	8-4-50	Carrier	1-9-51	1-13-51	5-25-51	Mediation	11-5-51	-	-
A-3149-----	90	4-10-49	Mar. '49	6-5-49	-	6-5-49	-	6-8-49	3-23-50	do	7-10-50	7-12-50	8-31-50	(⁵)	Aug. '50	-	-
A-2913-----	67	5-28-48	6-15-48	7-30-48	7-30-48 ¹¹	7-30-48	-	8-30-48	10-28-48	do	1-13-49	1-19-49	3-10-49	Mediation	3-24-49	-	-
A-2707-----	62	5-26-47 ¹²	10-21-47	10-29-47	10-31-47	-	-	12-1-47	12-10-47	do	5-13-48	5-15-48	7-9-48	Negotiation do	12-30-48	1-24-48	to 12-30-48
(¹³)															11-24-48	2-3-48	to 11-24-48
A-2334-----	38	3-1-46	3-19-46	4-18-46	5-8-46	5-8-46	-	6-7-46	7-3-46	Union	7-3-46 ¹¹	7-3-46	8-7-46	-	9-6-46	7-3-46 to 7-4-46	-
A-2219-----	36 ¹⁴	-	11-28-45	12-12-45	12-21-45	-	-	1-11-46	2-15-46	Carrier ¹⁴	5-6-46	5-7-46	7-8-46	Arbitration	1-22-47	-	10-21-46 to 11-18-46

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¹ Date that one of the parties first requested the mediatory services of the National Mediation Board.
² Date (1) agreement was reached by the parties, (2) agreement was ratified, or (3) arbitration award was rendered.
³ Mediation agreement.
⁴ Parties settled directly; no evidence to indicate mediation or arbitration was utilized to reach an agreement.
⁵ No data available.
⁶ No formal emergency board report issued.
⁷ Arbitration agreement.
⁸ National Mediation Board file on A-6328 not available.
⁹ Illegal strike called on Feb. 17, 1961 in defiance of Emergency Board No. 135.
¹⁰ Company originally requested mediation, and a tentative agreement was reached. When the agreement was not ratified, the National Mediation Board reopened the case and proffered its mediatory services.
¹¹ Inferred from National Mediation Board case files.
¹² Date union (IAM) was certified as bargaining representative for the clerks at National Airlines.
¹³ ALPA-National dispute over grievance machinery; did not follow regular RLA-emergency board procedures.
¹⁴ Twelve other carriers were involved in this emergency, but TWA (A-2219) was the main disputant with ALPA.
¹⁵ Withdrew from arbitration.

SOURCE: National Mediation Board case files, National Mediation Board Annual Reports, Presidential emergency board reports.

Appendix 8. Railway Labor Act, as Amended, Selected Sections

General purposes.

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

General duties.

Agreements by carriers and employees concerning pay, working conditions, etc.

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

Conferences to speedily consider, etc., disputes.

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

Functions of Mediation Board.

Right of either disputant to invoke service of Board.

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

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

“(b) Any other dispute not referable to the National Railroad Adjustment Board and not adjusted in conference between the parties or where conferences are refused.

Proffer of services by Board.

“The Mediation Board may proffer its services in case any labor emergency is found by it to exist at any time.

“In either event the said Board shall promptly put itself in communication with the parties to such controversy, and shall use its best efforts, by mediation, to bring them to agreement. If such efforts to bring about an amicable settlement through mediation shall be unsuccessful, the said Board shall at once endeavor as its final required action (except as provided in paragraph third of this section and in section 10 of this Act) to induce the parties to submit their controversy to arbitration, in accordance with the provisions of this Act.

Action if arbitration refused.

“If arbitration at the request of the Board shall be refused by one or both parties, the Board shall at once notify both parties in writing that its mediatory efforts have failed and for thirty days thereafter, unless in the intervening period the parties agree to arbitration, or an emergency board shall be created under Section 10 of this Act,

Appendix 8. Railway Labor Act, as Amended, Selected Sections—Continued

Functions of Mediation Board —
Continued

No change in pay, etc., rates to be made.

Procedure in changing rates of pay, rules, and working conditions.

Notice of intended, to be given in writing.

No alteration in rates, etc., by carriers until final action, etc., by Board.

Arbitration.

Emergency Board.

no change shall be made in the rates of pay, rules, or working conditions or established practices in effect prior to the time the dispute arose.

“Sec. 6. Carriers and representatives of the employees shall give at least thirty days’ written notice of an intended change in agreements affecting rates of pay, rules, or working conditions, and the time and place for the beginning of conference between the representatives of the parties interested in such intended changes shall be agreed upon within ten days after the receipt of said notice, and said time shall be within the thirty days provided in the notice. In every case where such notice of intended change has been given, or conferences are being held with reference thereto, or the services of the Mediation Board have been requested by either party, or said Board has proffered its services, rates of pay, rules, or working conditions shall not be altered by the carrier until the controversy has been finally acted upon as required by Section 5 of this Act, by the Mediation Board, unless a period of ten days has elapsed after termination of conferences without request for or proffer of the services of the Mediation Board.”

“Sec. 7. First. Whenever a controversy shall arise between a carrier or carriers and its or their employees which is not settled either in conference between representatives of the parties or by the appropriate adjustment board or through mediation, in the manner provided in the preceding sections, such controversy may, by agreement of the parties to such controversy, be submitted to the arbitration of a board of three (or, if the parties to the controversy so stipulate, of six) persons: *Provided, however,* That the failure or refusal of either party to submit a controversy to arbitration shall not be construed as a violation of any legal obligation imposed upon such party by the terms of this Act or otherwise.”

“Sec. 10. If a dispute between a carrier and its employees be not adjusted under the foregoing provisions of this Act and should, in the judgment of the Board of Mediation, threaten substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service, the Board of Mediation shall notify the President, who may thereupon, in his discretion, create a board to investigate and report respecting such dispute.”

The 1936 Amendments to the Railway-Labor Act

(Chapter 166.)

An Act

To amend the Railway Labor Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Railway

Appendix 8. Railway Labor Act, as Amended, Selected Sections—Continued

Arbitration—Continued

Title II.

Designated provisions extended to carriers by air.
Adjustment Board provisions excluded.

Application of Act to carriers by air and employees.

National Mediation Board.
Adjustment of disputes.

Pay, working conditions, etc. other disputes.

Proffer of services in emergency.
Invoking of Board's services.

Handling employer-employee disputes.

Reference to adjustment board upon failure to agree.

Boards of adjustment; establishment; jurisdiction.

Labor Act, approved May 20, 1926, as amended, herein referred to as "Title I," is hereby further amended by inserting after the enacting clause the caption "Title I" and by adding the following title II:

"Title II

"Section 201. All of the provisions of title I of this Act, except the provisions of Section 3 thereof, are extended to and shall cover every common carrier by air engaged in interstate or foreign commerce, and every carrier by air transporting mail for or under contract with the United States Government, and every air pilot or other person who performs any work as an employee or subordinate official of such carrier or carriers, subject to its or their continuing authority to supervise and direct the manner of rendition of his service.

"Sec. 202. The duties, requirements, penalties, benefits, and privileges prescribed and established by the provisions of title I of this Act, except Section 3 thereof, shall apply to said carriers by air and their employees in the same manner and to the same extent as though such carriers and their employees were specifically included within the definition of 'carrier' and 'employee,' respectively, in Section 1 thereof.

"Sec. 203. The parties or either party to a dispute between an employee or a group of employees and a carrier or carriers by air may invoke the services of the National Mediation Board and the jurisdiction of said Mediation Board is extended to any of the following cases:

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

"(b) Any other dispute not referable to an adjustment board, as hereinafter provided, and not adjusted in conference between the parties, or where conferences are refused.

"The National Mediation Board may proffer its services in case any labor emergency is found by it to exist at any time.

"The services of the Mediation Board may be invoked in a case under this title in the same manner and to the same extent as are the disputes covered by Section 5 of title I of this Act.

"Sec. 204. The disputes between an employee or group of employees and a carrier or carriers by air 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 before the National Labor Relations Board, 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 an appropriate adjustment board, as hereinafter provided, with a full statement of the facts and supporting data bearing upon the disputes.

"It shall be the duty of every carrier and of its employees, acting through their representatives, selected in accordance with the provisions of this title,

Appendix 8. Railway Labor Act, as Amended, Selected Sections—Continued

Employee-carrier boards
of adjustment.

to establish a board of adjustment of jurisdiction not exceeding the jurisdiction which may be lawfully exercised by system, group, or regional boards of adjustment, under the authority of Section 3, title I, of this Act.

“Such boards of adjustment may be established by agreement between employees and carriers either on any individual carrier, or system, or group of carriers by air and any class or classes of its or their employees; or pending the establishment of a permanent National Board of Adjustment as hereinafter provided. Nothing in this Act shall prevent said carriers by air, or any class or classes of their employees, both acting through their representatives selected in accordance with provisions of this title, from mutually agreeing to the establishment of a National Board of Adjustment of temporary duration and of similarly limited jurisdiction.

National Air Transport
Adjustment Board.

“Sec. 205. When, in the judgment of the National Mediation Board, it shall be necessary to have a permanent national board of adjustment in order to provide for the prompt and orderly settlement of disputes between said carriers by air, or any of them, and its or their employees, growing out of grievances or out of the interpretation or application of agreements between said carriers by air or any of them, and any class or classes of its or their employees, covering rates of pay, rules, or working conditions, the National Mediation Board is hereby empowered and directed, by its order duly made, published, and served, to direct the said carriers by air and such labor organizations of their employees, national in scope, as have been or may be recognized in accordance with the provisions of this Act, to select and designate four representatives who shall constitute a board which shall be known as the ‘National Air Transport Adjustment Board.’ Two members of said National Air Transport Adjustment Board shall be selected by said carriers by air and two members by the said labor organizations of the employees, within thirty days after the date of the order of the National Mediation Board, in the manner and by the procedure prescribed by title I of this Act for the selection and designation of members of the National Railroad Adjustment Board. The National Air Transport Adjustment Board shall meet within forty days after the date of the order of the National Mediation Board directing the selection and designation of its members and shall organize and adopt rules for conducting its proceedings, in the manner prescribed in Section 3 of title I of this Act. Vacancies in membership or office shall be filled, members shall be appointed in case of failure of the carriers or of labor organizations of the employees to select and designate representatives, members of the National Air Transport Adjustment Board shall be compensated, hearings shall be held, findings and awards made, stated, served, and enforced, and the number and compensation of any necessary assistants shall be determined and the compensation of such employees shall be paid, all in the same manner and to the same extent as provided with reference to the National Railroad Adjustment Board by Section 3 of title I of this Act. The powers and duties prescribed and established by the provisions of Section 3 of title I of this Act with reference to the National Railroad Adjustment Board and the several divisions thereof are hereby conferred upon and shall be exercised and performed in like manner and to the

Composition

Meeting, organization, etc.

Filling vacancies, etc.

Powers conferred.

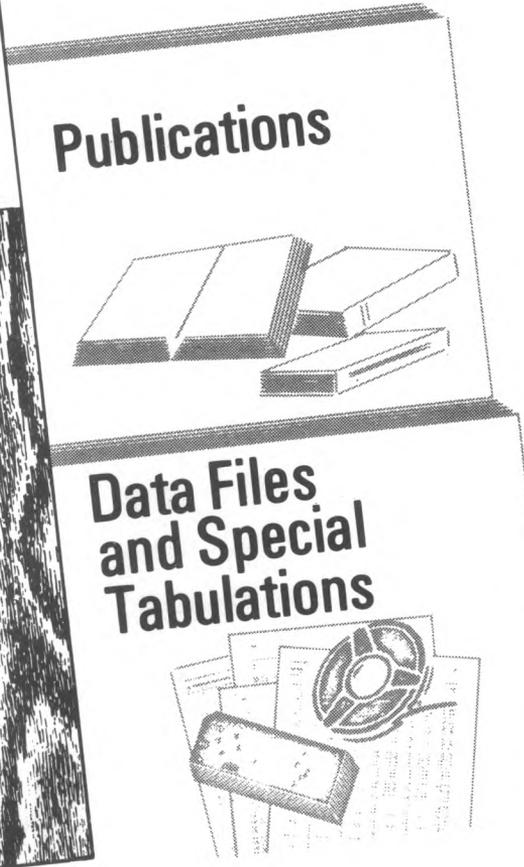
Appendix 8. Railway Labor Act, as Amended, Selected Sections—Continued

<p>Election by employee-carrier boards to come under jurisdiction of.</p>	<p>same extent by the said National Air Transport Adjustment Board, not exceeding, however, the jurisdiction conferred upon said National Air Transport Adjustment Board by the provisions of this title. From and after the organization of the National Air Transport Adjustment Board, if any system, group, or regional board of adjustment established by any carrier or carriers by air and any class or classes of its or their employees is not satisfactory to either party thereto, the said party, upon ninety days' notice to the other party, may elect to come under the jurisdiction of the National Air Transport Adjustment Board.</p>
<p>Transfer of pending cases to Mediation Board.</p>	<p>“Sec. 206. All cases referred to the National Labor Relations Board, or over which the National Labor Relations Board shall have taken jurisdiction, involving any dispute arising from any cause between common carrier by air engaged in interstate or foreign commerce or any carrier by air transporting mail for or under contract with the United States Government, and employees of such carrier or carriers, and unsettled on the date of approval of this Act, shall be handled to conclusion by the Mediation Board. The books, records, and papers of the National Labor Relations Board and of the National Labor Board pertinent to such case or cases, whether settled or unsettled, shall be transferred to the custody of the National Mediation Board.</p>
<p>Custody of papers, records, etc.</p>	<p>“Sec. 207. If any provision of this title or application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.</p>
<p>Separability provision.</p>	<p>“Sec. 208. There is hereby authorized to be appropriated such sums as may be necessary for expenditure by the Mediation Board in carrying out the provisions of this Act.”</p>
<p>Appropriation authorized.</p>	<p>Approved, April 10, 1936.</p>

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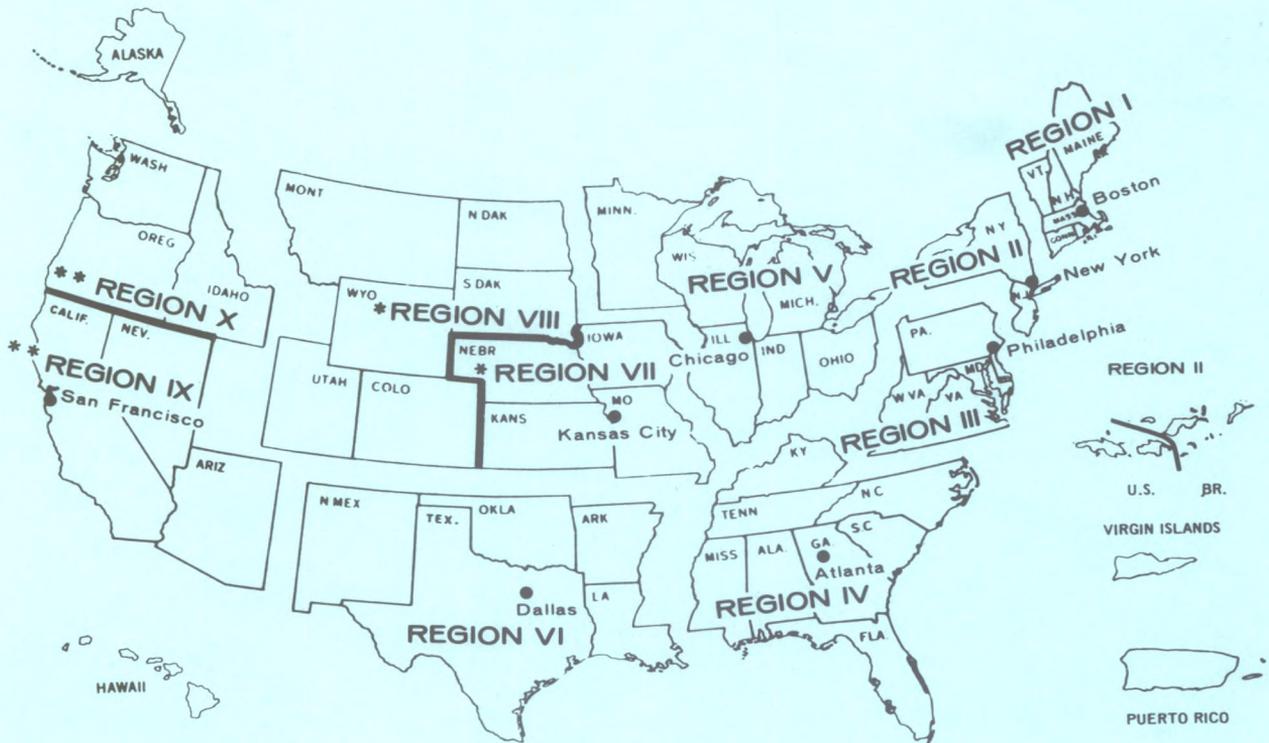
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