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Handling of  
Rail Disputes  
Under the  
Railway Labor Act,  
1950-69

Bulletin 1753

U.S. DEPARTMENT OF LABOR  
Bureau of Labor Statistics  
1972

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

**BUREAU OF LABOR STATISTICS  
Geoffrey H. Moore, Commissioner**

**1972**



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## Preface

This bulletin provides a descriptive and statistical account of the industrial relations, mediation, work stoppages, and emergency dispute experience of the railroad industry under the Railway Labor Act. Published and unpublished records, particularly those of the National Mediation Board, were utilized to prepare this report.

The definition of this major industry group (railroad transportation) covered by the Railway Labor Act conforms to major group 40 in the *Standard Industrial Classification Manual*, 1967 edition, issued by the Office of Management and Budget, formerly 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, particularly Mrs. Vivian Yancey and Mr. Thomas Tracy, in the preparation of chapters IV and VI is gratefully acknowledged.

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# Chapter 1. Background of the Railway Labor Act <sup>1</sup>

## Summary

This study presents the first complete examination of basic data on the state of labor relations in the railroad industry in the 1950's and 1960's. It is based on records of railroad mediation cases, work stoppages, and emergency boards appointed under the provisions of the Railway Labor Act (RLA), together with the circumstances that led to government intervention. A number of significant findings followed from this inquiry.

In a vast majority of cases, negotiations have been concluded successfully on the local properties without government intervention, active assistance of the National Mediation Board (NMB), or interruptions of work. However, when impasses have been reached, the conflicts have required the mediatory services of the Board. Mediation has performed successfully as a tool to compose unadjusted collective bargaining disputes; nearly 98 percent of docketed railroad mediation cases have been resolved without resort to an emergency board.

After the exhaustion of unsuccessful mediatory efforts, emergency boards, some involving more than one mediation case, were created when, in the opinion of the President, the dispute "threatened substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation services." Of the 71 emergency panels, only 23 were appointed to consider nationwide disputes, and 18 were convened to hear cases involving only a single railroad carrier and a single union.

<sup>1</sup> The Railway Labor Act, which bore the joint approval of the major railway carriers and unions, was passed in 1926. Its coverage, which originally extended only to railroads, was enlarged to include airline carriers in 1936.

This study was conducted for fiscal years 1950-69. A fiscal year refers to the time period July 1 of the previous year to June 30 of that year, i.e., fiscal year 1950 extended from July 1, 1949 to June 30, 1950. (Some material relating to events occurring in 1970 or 1971 has been included in chapter V for illustrative reasons.)

Although this emergency procedure was conceived as a type of adjustment machinery to resolve labor-management conflicts involving terms and conditions of employment, grievance disputes have been brought before boards on eight occasions.

The duration of the RLA emergency dispute procedure has been lengthy, averaging 670 calendar days. Average duration increased substantially between the 1950's and the 1960's, in part because of 12 prolonged panels (the majority of which involved rule issues) that occurred during the later period.

Of the cases in which responses were ascertained, both parties initially accepted the boards' reports only on six occasions. Railroad carriers generally accepted "adverse" as well as "favorable" reports, while railroad unions usually rejected "adverse" recommendations.

The parties most frequently relied on negotiations, rather than mediation or arbitration, to effect settlements. Eight emergency board disputes were settled either before a board was appointed or a formal report was issued. Of the remaining panels, settlements were reached without work stoppages in the majority of instances.

Since presidents and Congress have viewed nationwide railroad work stoppages as being detrimental to the public welfare, other forms of government intervention outside the scope of the act have played an integral part in the settlement of railroad emergency disputes. Presidential commissions, the offices of the White House or the Labor Department, ad hoc legislation, and seizures have been utilized in situations in which the Executive or Legislative branches felt that collective bargaining could not peacefully settle railroad disputes. In addition, presidential intervention was evident in 12 emergency board cases, and the mediatory services of the Labor Department were used in numerous instances. Finally, President Truman seized railroad carriers twice in 1950.

During the 1950-69 period, the railroad industry sustained 316 work stoppages involving 1.4 million workers and 8.4 million man-days idle. Compared

with the average annual level of 23.4 calendar days for the total economy, the average duration of all railroad strikes was much shorter, 13.0 days. Of the 316 stoppages, 75 percent extended less than 1 week and only 3 percent, or eight cases, lasted longer than 90 days.

## Introduction

For many years there has been general concern with the vitality and effectiveness of the law that governs railroad industrial relations, the Railway Labor Act, and its procedures have been criticized by many practitioners and students of collective bargaining. At various times, these experts have argued that the act, as implemented by the National Mediation Board—the agency charged with its administration—has encouraged labor and management to bargain in a perfunctory manner, to relinquish their rights and duties to resolve disputes on their own, to engage in dilatory strategy at every stage of their negotiations, and to depend on government intervention for the solution of disputes. Some critics have alleged also that the Executive Branch, acting under political pressures, has at times intervened needlessly in railroad disputes.<sup>2</sup>

Contributing to these concerns, however, are circumstances peculiar to the economic nature of the industry that impinge on the parties' collective bargaining relationship and contribute to its instability. One source is the large number of specialized craft unions, often competitive, that exist in the railroad industry.<sup>3</sup> Throughout the years, each craft union has adhered rigidly to its own work rules and jurisdic-

<sup>2</sup> Benjamin Aaron, "Emergency Dispute Settlement," *Labor Law Developments*, 1967.

Jacob J. Kaufman, "Emergency Boards Under the Railway Labor Act," *Labor Law Journal*, Vol. 9, No. 12, December 1958.

"The Railroad Labor Dispute: A Marathon of Maneuver and Improvisation," *Industrial and Labor Relations Review*, Vol. 18, January 1965.

David Levinson, "The Locomotive Firemen's Dispute," *Labor Law Journal*, Vol. 17, No. 11, November 1966.

Edward B. Shils, "Industrial Unrest in the Nation's Rail Industry," *Labor Law Journal*, Vol. 15, No. 2, February 1964.

Arthur M. Wisheart, "Transportation Strike Control Legislation," *Michigan Law Review*, Vol. 66, June 1968.

<sup>3</sup> A recent development which may indicate that the union rivalry problem will decline in the years to come has been the merging of various railroad unions. In 1969, four such consolidations, affecting 263,000 railroad union members, occurred.

tional claims, has promoted its own set of "job rights," and has often been reluctant to accept technological changes.

Besides this "union fractionalism," other factors have operated to create an atmosphere of "emergency bargaining." Actual and anticipated introduction of innovations (which may obscure lines of demarcation between crafts) and consolidations of rail facilities have engendered fears of job losses. Reinforcing these pressures have been the secular trends of declining employment of nonsupervisory workers because of introductions of laborsaving devices and because of a reduction in the railroads' share of the transportation market.

Still another source of bargaining instability, regulatory agencies (which control competition, rates, routes, and subsidies) have also been cited as tending "to supply a negative influence on labor-management harmony and stability."<sup>4</sup> Nor have other forms of government intervention always proven to be stabilizing forces.

## Financial condition

In 1969, the U.S. Railroad System consisted of 721 carriers, operating 222,164 miles of track and employing 623,326 workers. These railroads earned \$12.0 billion in operating income and incurred \$9.5 billion in operating expenses. Net revenues from railway operations in 1969 amounted to \$2.5 billion, of which \$555.0 million in dividends were declared.<sup>5</sup> (See appendix table A-1.)

Under the Interstate Commerce Commission (ICC) classification system, the industry is composed of five main groupings.<sup>6</sup> This analysis is largely confined to the three largest and most important groups: Class I, class II, and switching and terminal carriers. Of the 721 railroads operating in 1969, 73 were class I carriers. These larger railways employed 93 percent of the industry's work force and operated 80 percent of its mileage.

At the time of the act's passage, railroads hauled 77 percent of the Nation's intercity freight traffic ton-miles and 76 percent of nonautomobile passenger traffic. In 1969 by contrast, the railroads trans-

<sup>4</sup> Shils, *op. cit.*, p. 81.

<sup>5</sup> *Eighty-Third Annual Report on Transport Statistics in the United States for the Year Ended Dec. 31, 1969* (U.S. Interstate Commerce Commission), pp. 3, 19, 23, 48, 49. (Later cited as *83rd Annual Report on Transport Statistics*).

<sup>6</sup> The five major categories are class I, class II, switching and terminal, proprietary, and unofficial.

ported only 41 percent of intercity freight ton-miles and 1 percent of intercity passenger miles.

A major cause of the railroads' long-term declining share of intercity freight and passenger service was their inability to compete economically with newer forms of transportation. As far back as the 1920's, motor vehicles had begun making inroads into the railroads' passenger operations. Following World War II, commercial aviation, pipelines, trucking, and buses began to pose ever-increasing competition. Even the railroads' steady fare, transportation of higher value commodities (such as fresh fruits and vegetables, livestock, dairy products, and other high-rate goods) had been adversely affected.<sup>7</sup>

Besides difficulty in competing economically with newer forms of transportation, railroads have been adversely affected by levels of national economic activity<sup>8</sup> and by internal developments. One result has been the unfavorable rate of increase in operating costs compared with revenues—29.1 percent and 21.6 percent, respectively, between 1950–69—despite a precipitous drop in employment. Another manifestation of the various problems besetting the industry has been the number of insolvencies. Between 1894 and 1942, there were more than 840 railroad bankruptcies. During the early 1950's (1950–54) a large number of carriers (approximately 40) were in bankruptcy; but by 1957, the number of bankruptcies had declined to six and has not since been greater than eight in any year.<sup>9</sup> Since World War II, there have been only eight major (class I) bankruptcies, three occurring in 1970. A significant number of railroad companies have also incurred deficits over the years (approximately 17 annually), and many more have experienced liquidity problems.<sup>10</sup>

## Government regulation

According to some industry spokesmen and trans-

<sup>7</sup> *Report to the President by Emergency Board No. 109* (U.S. National Mediation Board, March 25, 1955), pp. 27–28.

*Eighty-Third Annual Report on Transport Statistics*, op. cit., pp. 48–49. Interstate Commerce Commission data.

<sup>8</sup> Morris A. Horowitz, "Labor's Role in the Declining Railroad Industry," *Labor Law Journal*, Vol. 9, No. 5, May 1958, p. 473.

<sup>9</sup> *Report of the Presidential Railroad Commission* (Washington: U.S. Government Printing Office, Feb. 1963), p. 79. ICC data.

<sup>10</sup> *Labor*, Oct. 3, 1970, p. 8.; *New York Times*, Sept. 2, 1970, p. 53 and Aug. 2, 1970, p. F–10; ICC data.

portation and labor experts, government regulation has intensified the financial problems of the industry. Public policy, or its lack, has also had an impact on collective bargaining. Various problems have been noted, including deficits incurred from passenger service, the uncertain role of railroads in metropolitan transportation systems, the inadequate recognition of severe competition facing railroads, subsidization of competitive forms of transportation, and insufficient coordination of various forms of transportation. According to one report, "a large part of the growing difficulties of the parties in collective bargaining reflects a failure to develop adequate national policies for the railroads and for a coordinated transportation system."<sup>11</sup> Another critic has even claimed that regulation has "stifled innovation, discouraged industry, driven many of the capable and imaginative men out of it (the industry), and provided a convenient excuse for inaction on the part of less capable men who have come and stayed."<sup>12</sup>

Chairman of Illinois Central Industries, William B. Johnson, noting the disparity between the dynamic nature of inflation and the more static nature of regulation, has asserted that rigidity and incessant delays in regulation would impede future developments in the industry. (During periods of inflation, the argument goes, demands for substantial wage increases, coupled with lagging productivity, result in pressures on profit margins. Wage raises can be met by infusions of capital expenditures, or growth of the industry, or increased prices—a combination of all three being optimal. Railroad capital expenditures have been characterized as being "too little, too late;" the industry as "declining"; and the procedures for raising rates as "archaic," "tedious," and "stifling.")<sup>13</sup>

## Mergers and other major unifications

Besides setting rates and determining routes, government regulates the unification of railroad properties. Mergers and other consolidations of railroad properties usually are predicated on increasing the carriers' market share or achieving operating economies and decreasing costs. At the same time, since these activities constitute a persistent threat to job security, they usually result in proposed contract

<sup>11</sup> *Report to the President by Emergency Board No. 130* (U.S. National Mediation Board, June 8, 1960), pp. 3–4.

<sup>12</sup> *N.Y. Times*, Jan. 10, 1971, p. 10.

<sup>13</sup> *New York Times*, Aug. 2, 1970, p. 47.

provisions for improving employment and income protection. Actual and anticipated mergers commonly generate fears and anxieties which lead to labor hostility and attempts to thwart managements' plans. For instance, the Brotherhood of Maintenance of Way Employees (BMWE) and the Railway Labor Executives' Association (RLEA) filed a suit against the ICC in 1960 to halt the Erie-Lackawana merger and claimed that the agency did not prescribe adequate employee protection measures.

During fiscal years 1950–60, the ICC approved 50 merger applications<sup>14</sup> under section 5 (2) of the Interstate Commerce Act, as well as 470 other unifications (including ownerships of stock, purchases, modifications of track rights, trackage rights, modified leases, joint uses, leases, and various combinations of the above consolidations). Other major unifications authorized from 1961 to 1970 included 40 mergers, 27 control agreements, 15 purchase agreements, and 3 lease agreements.<sup>15</sup> Approximately one-third of the industry's trackage currently is involved in pending proceedings before the Commission. As with previous consolidations, the Commission will authorize or dismiss the applications, but will not pursue the unifications to a conclusion. However, it will receive testimony on the classes or crafts of employees involved—who usually oppose the transaction—and will prescribe conditions in the agreements to protect employees who are affected adversely.<sup>16</sup>

## Technology and unemployment

Another economic condition intimately affecting workers' security is the extent and pace of technological developments, as indicated by productivity changes. Expressed as an average annual rate, output per man-hour (productivity) in the railroad industry increased 5.3 percent between 1947 and 1969 and 6.2 percent between 1957 and 1969, compared with only 3.2 percent and 3.3 percent, respectively, for the private economy.<sup>17</sup> Among these technological developments which influenced productivity levels were electronically operated classification yards,

<sup>14</sup> Including mergers coupled with other unification plans.

<sup>15</sup> Includes two mergers and one control authorization granted in the former period.

<sup>16</sup> Unpublished ICC data.

<sup>17</sup> *Indexes of Output Per Man-Hour, Selected Industries, 1939 and 1947–69* (BLS Bulletin 1680, 1970), p. 104. *Handbook of Labor Statistics, 1970* (BLS Bulletin 1666, 1970), p. 159.

modernization of equipment for right-of-way maintenance, processing and computer equipment, and many other innovations. As in other industries, railroad collective bargaining agreements embody many provisions relating to the implementation of technological innovations. Technological developments also frequently lead to numerous proposals for changes in labor agreements, some of which result in labor strife. In fact, technological change probably places the single greatest strain on collective bargaining relationships of any factor in the industry.

Management has claimed consistently that improved technology is necessary to compete effectively with other modes of transportation and to defray increased costs, including wages. Unions have pointed to the dislocations and resultant loss of workers' job opportunities and income caused by fundamental industrial changes. Initially, they usually have attempted to impede changes or, at least, abate the pace of implementation while carriers usually have pressed for quick institution of operational and technological changes. At times, the parties have indicated a mutual desire to arrange simultaneously for protection schemes (such as severance pay, retraining, etc.) to cushion the effect of technological developments, without at the same time instituting protective measures which would lapse into restrictive work rules. On several occasions, a conflict of interest has resulted and neutral parties have had to decide how fast and far, at whose expense, and to whose profit technological developments should be instituted.<sup>18</sup>

As early as the 1950's,<sup>19</sup> warnings were regularly issued that a breakdown in railroad collective bargaining was imminent; the primary cause cited was technology:

We have not reached the end of these changes. Technology continues to advance. Many railroads have not yet adopted technological changes which others have shown to be successful. New technical developments are in the making. So far, collective bargaining has not responded to these challenges with sufficient vigor or imagination to cope with the problems that loom over the industry and its labor relations. Collective bargaining has functioned in the sequence of challenge and response; and the response has at times been long delayed. It has not anticipated in a time when anticipation is necessary to cope with problems

<sup>18</sup> *Report to the President by Emergency Board No. 86* (U.S. National Mediation Board, July 6, 1950), p. 6.

<sup>19</sup> *Report to the President by Emergency Board No. 97* (U.S. National Mediation Board, Jan. 25, 1952), p. 97.

which become even more difficult to resolve once their full impact is felt.<sup>20</sup>

On several occasions, the carriers have alleged that railroad unions attempted to assume management's prerogatives, by insisting on a veto power over consolidation or discontinuance of jobs, stations, and other rail facilities. At other times, according to carrier representatives, railway unions have attempted to retard technological change and modernization and to impede the elimination of inefficient work rules and duplication of services by strict observance of exclusive jurisdictional claims, excessive severance demands, job freezes, and other proposals designed to inflate the cost of technologies' implementation to the carriers. For example, the Telegraphers (ORT) served notice on the Chicago and North Western Railway and requested that "No position in existence on December 3, 1957, will be abolished or discontinued," except by mutual agreement between the parties. After negotiations and mediation were unsuccessful and arbitration was rejected, the unadjusted dispute resulted in the appointment of Emergency Board No. 147. Eventually the controversy was settled, but not before a 30-day strike ensued.

Because of operating economies (consolidations, abandonments of main and branch lines, mergers), technological developments, and secular trends in the competitiveness of railroads, railway employment has decreased in successive years. (See appendix table A-1.) In 1950, the class I railroads, accounting for 95 percent of the railroad industry's mileage and employment, provided 1,220,784 jobs. Twenty years later, railway carriers employed about one-half this number, 578,277 persons. With one exception, the seven major occupations,<sup>21</sup> as classified by the Interstate Commerce Commission, also experienced declining job opportunities of varying degrees. Employment of nonoperating employees decreased precipitously compared with that of operating classes, despite "dieselization" and other innovations affecting operating crafts.<sup>22</sup> Only the number of

<sup>20</sup> *Report to the President by Emergency Board No. 145* (U.S. National Mediation Board, May 3, 1962), p. 64.

<sup>21</sup> Executives, officials, and staff assistants; professional, clerical, and general; maintenance of way and structure; maintenance of equipment and stores; transportation (other than train, engine, and yard); yardmasters, switch tenders, and hostlers; train and engine service.

<sup>22</sup> Operating employees are "those workers engaged directly in the movement of trains, such as locomotive en-

executives, officials, and staff assistants increased over the two decades (6.4 percent), a phenomenon frequently stressed by railway unions.

Anticipated or actual losses in employment have always been a real substantive issue in the railroad industry. Over the years, various railroad unions have cited declining employment opportunities and resultant hardships faced by their members. In 1954, the Firemen (BLFE), appearing before Emergency Board No. 110, testified that 21,000 firemen and hostlers' positions had been eliminated in the railroad industry during the preceding 6 years.<sup>23</sup> The Telegraphers (ORT), who were involved in hearings before Emergency Board No. 138, noted that their craft's employment had been reduced 36.8 percent from 1955 through 1960.<sup>24</sup> Average employment for Pullman conductors (ORCB), who participated in Emergency Board No. 139, declined almost three-fourths in 14 years (from 2,683 in 1946 to 729 in 1960).<sup>25</sup>

However, the magnitude of the problem cannot be expressed solely by statistics detailing declining employment levels. Other characteristics of the railroad labor force—such as age distribution and length of service—reinforced the human aspects of working in a declining industry. The median age of shopcraft employees as of 1967 was 49 years, 10 years greater than the median age of all male nonagricultural workers. Moreover, 49 percent of these employees had worked 20 years or more in the railroad industry, and 26 percent more had 10 to 19 years of service.<sup>26</sup> "Once a railroad worker loses his job, his chances of finding another one are small, consequently railroad labor tends to be hostile to any technological change."<sup>27</sup>

gineers, locomotive firemen, road conductors, road trainmen, and yardmen." Nonoperating employees "are those not" directly involved in the movement of trains, such as shopcrafts, maintenance-of-way, and signal forces, clerical and communication employees." *Thirty-Second Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1966* (U.S. Mediation Board, 1967), p. 10.

<sup>23</sup> *Report to the President by Emergency Board No. 110*, (U.S. National Mediation Board, July 30, 1955), p. 12.

<sup>24</sup> *Report to the President by Emergency Board No. 138*, (U.S. National Mediation Board, Sept. 15, 1961), p. 6.

<sup>25</sup> *Report to the President by Emergency Board No. 139*, (U.S. National Mediation Board, Dec. 11, 1961), p. 13.

<sup>26</sup> *Railroad Shopcraft Fact-Finding Study* (U.S. Department of Labor, 1968), pp. 20-21.

<sup>27</sup> Ann F. Friedlander, *The Dilemma of Freight Transport Regulation* (Washington, D.C.: Brookings Institution, 1969), p. 97.

## Collective bargaining unit and jurisdictional disputes

Table 1 indicates another prominent problem confronting the industry, "fractionalized" unionism. Railway carriers must negotiate with a large number of unions, some of which represent more than one class or craft of employees. Besides the 10 marine unions and the various small or local independent organizations, railroad companies may negotiate with

20 national unions or more, the vast majority affiliated with the AFL-CIO. This situation stems from the historic development of the industry's collective bargaining experience, as well as judicial and administrative interpretations of what constitutes the collective bargaining unit.

Regardless of the geographic extent of a carrier's operations, the collective bargaining unit under the RLA is the "craft or class," which is undefined by the act. Throughout its history, the NMB has en-

**Table 1. Unions representing railway employees as of June 30, 1970<sup>1</sup>**

| Initials                          | Names  | Number of members    |                                       |
|-----------------------------------|--|----------------------|---------------------------------------|
|                                   |  | Total                | Estimated number in railroad industry |
| <b>OPERATING UNIONS</b>           |  |                      |                                       |
| BLE                               | Brotherhood of Locomotive Engineers (Ind.) -----   | 32,900               | 32,900                                |
| UTU                               | United Transportation Union <sup>2</sup> -----   | <sup>3</sup> 242,600 | <sup>3</sup> 242,600                  |
| FCRE                              | Federated Council of Railway Employees (Ind.) <sup>4</sup> -----   | 375                  | 375                                   |
| <b>NONOPERATING UNIONS</b>        |  |                      |                                       |
| ARSA                              | American Railway and Supervisors Association -----   | 6,203                | 2,000                                 |
| ADTA                              | American Train Dispatchers Association -----   | 3,193                | 3,193                                 |
| AMS                               | Association of Mechanical Supervisors (Ind.) -----   | ( <sup>5</sup> )     | ( <sup>5</sup> )                      |
| BB(F)                             | International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers -----                     | 130,770              | 3,000                                 |
| BMWE                              | Brotherhood of Maintenance of Way Employees -----  | 103,994              | 72,200                                |
| BRASC                             | Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees <sup>6</sup> ----- | 252,737              | 144,336                               |
| BRC                               | Brotherhood of Railway Carmen of America and Canada -----  | <sup>7</sup> 88,800  | 46,200                                |
| BRS                               | Brotherhood of Railroad Signalmen -----  | 11,980               | 11,980                                |
| (B)SCP                            | Brotherhood of Sleeping Car Porters -----  | 1,616                | 1,616                                 |
| HREU                              | Hotel and Restaurant Employees and Bartenders International Union -----  | 434,136              | 3,250                                 |
| IAM (and AW)                      | International Association of Machinist and Aerospace Workers -----   | 820,126              | 17,621                                |
| IBEW                              | International Brotherhood of Electrical Workers -----  | 864,652              | 11,600                                |
| IBFO                              | International Brotherhood of Firemen and Oilers -----  | 46,000               | 15,000                                |
| IBT                               | International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (Ind.) -----                     | 1,759,502            | ( <sup>5</sup> )                      |
| MDFA                              | Mechanical Department Foremen's Association (Ind.) -----   | ( <sup>5</sup> )     | ( <sup>5</sup> )                      |
| RYA                               | Railroad Yardmasters of America <sup>8</sup> -----   | 5,171                | 5,171                                 |
| SMW(IA)                           | Sheet Metal Workers' International Association -----   | 88,384               | 5,400                                 |
| USA                               | United Steelworkers of America -----   | 1,059,325            | 3,500                                 |
| UTSE                              | United Transport Service Employees -----   | 2,000                | ( <sup>5</sup> )                      |
| WRSA                              | Western Railway Supervisors Association (Ind.) -----   | ( <sup>5</sup> )     | ( <sup>5</sup> )                      |
| <b>NONOPERATING MARINE UNIONS</b> |  |                      |                                       |
| GLLO                              | Great Lakes Licensed Officers Organization (Ind.) -----  | 61                   | ( <sup>5</sup> )                      |
| ILA                               | International Longshoremen's Association -----   | <sup>7</sup> 41,000  | ( <sup>5</sup> )                      |
| IUOE                              | International Union of Operating Engineers -----   | 366,343              | ( <sup>5</sup> )                      |
| IUP                               | Inlandboatmen's Union of the Pacific -----   | <sup>9</sup> 3,697   | ( <sup>5</sup> )                      |
| MMP                               | International Organization of Masters, Mates, and Pilots -----   | 10,980               | 1,900                                 |
| NMEB                              | National Marine Engineers Beneficial Association -----   | 10,317               |                                       |
| SIU                               | Seafarers International Union of North America -----   | 64,389               |                                       |
| TWU                               | Transport Workers Union of America -----   | <sup>7</sup> 149,789 | 14,000                                |
| District 50                       | International Union of District 50, Allied and Technical Workers of the U.S. and Canada (Ind.) -----                     | 210,000              | 250                                   |
| NMU                               | National Maritime Union of America -----   | 41,000               | 500                                   |

<sup>1</sup> The figures for total union membership are 1970 levels and those for the railroad industry are current levels.

<sup>2</sup> A union created on Jan. 1, 1969, by the merger of the Trainmen (BRT), the Firemen and Engineers (BLFE), the Switchmen (SUNA), and the Conductors (ORCB).

<sup>3</sup> Includes approximately 2,000 busmen organized by the union.

<sup>4</sup> Merged with the UTU in 1970.

<sup>5</sup> Not available.

<sup>6</sup> The Clerks (BRASC) were involved in mergers twice in 1969: with the 2,500 member Railway Patrolmen's International Union on Jan. 1, 1969;

and the 45,000 member Transportation-Communication Employees Union (formerly the Order of Railway Telegraphers) on Feb. 20, 1969.

<sup>7</sup> Estimate.

<sup>8</sup> The Railroad Yardmasters of North America (Ind.) merged into the Railroad Yardmasters of America on July 1, 1969.

<sup>9</sup> An affiliate of SIU.

NOTE: The unions are affiliated with the AFL-CIO except where they are noted as independent (Ind.).

SOURCE: National Mediation Board; Bureau of Labor Statistics; Individual unions.

deavored to honor past practices of railroad workers in organizing for representation purposes and of the carriers in making collective bargaining agreements with such representatives.<sup>28</sup> Coupled with the majority rule (the majority of eligible employees must participate and cast valid ballots) “fractionalized” representation—a large number of specialized unions—became inevitable and led to competitiveness between railroad unions for membership and for job rights.<sup>29</sup>

With the exception of the Teamsters (IBT), railroad unions have adhered rigidly to their traditional jurisdictional claims to jobs on a craft basis, even though technological changes have blurred lines of demarcation between the original crafts. As early as 1950, the NMB noted that “the close cohesion between the powerful (operating) brotherhoods . . . has been affected by differences arising between them as to representation, mileage limitations, promotional rights, and similar differences which are in the realm of jurisdictional disputes.”<sup>30</sup> Nor have the nonoperating crafts been free of jurisdictional disputes over work assignments.<sup>31</sup>

A recent and well publicized instance of union rivalry which demonstrates the dimension and intensity of the problem was one facet of the dispute re-

<sup>28</sup> *Administration of the Railway Labor Act by the National Mediation Board 1934–1970* (U.S. National Mediation Board, 1971), p. 73.

<sup>29</sup> Shils, *op. cit.*, pp. 81–84.

<sup>30</sup> *Sixteenth Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1950* (U.S. National Mediation Board, 1951), p. 7.

<sup>31</sup> *Twentieth Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1954* (U.S. National Mediation Board, 1955), p. 23.

sulting in the appointment of Emergency Board No. 178. After protracted bargaining and a nationwide trucking stoppage in April and May 1970, the Teamsters negotiated a wage boost of \$1.85, or 45 percent, over a 39-month period. Meanwhile in the railroad industry, the Clerks (BRASC), who represent workers in various transportation industries, were pressing wage and rule demands on the Nation’s carriers represented by the National Railway Labor Conference (NRLC).

Large wage increases won by other unions, particularly the Teamsters (who compete vigorously with the Clerks for membership in both the airline and railroad industries), created high wage expectations among the Clerks’ members and difficult negotiating goals for the Clerks’ union leaders. After negotiations and mediation were unsuccessful in reaching an accord and arbitration was refused, an emergency board was appointed to consider the dispute. On November 9, 1970, the Board released a report in which it suggested a 32.5 percent wage adjustment. Assailing the wage recommendation, the Clerks’ president claimed that his union could not “live with that (wage increase) in the transportation industry when the Government okays a higher increase for the Teamsters.”<sup>32</sup> The union rejected the Board’s report, and conducted a nationwide strike on December 10, 1970, which was terminated by ad hoc legislation. Under the terms of the eventual settlement, which was reached in the following February, the clerks received a 44.0 percent wage adjustment over 42 months.

<sup>32</sup> *Wall Street Journal*, Nov. 10, 1970, p. 3.

## Chapter II. Legal Framework of the Railway Labor Act

### Procedural aspects of the act

The Railway Labor Act<sup>33</sup> requires the parties to follow a step-by-step procedure, from the initial notice of intention to change the terms of an agreement to the last step, which leaves the union free to strike or the employer free to lock out his workers. (See chart 1.) The procedure is set in motion when a "Section 6" notice—a declaration of intention to change the collective bargaining agreement—is served. A "status quo" period prohibits changes in the terms and conditions of employment until the parties reach agreement, or all the required procedures of the act have been exhausted, or a period of 10 days has passed since the termination of discussions without either party's request for or an offer of the National Mediation Board (NMB's) assistance. The parties are expected to negotiate until an agreement is reached or an impasse develops. If, however, the parties cannot reach agreement in such direct negotiations, one or both of the parties may request the mediatory assistance of the Board; or, should the facts warrant it, the NMB may offer its assistance.

When mediation is unsuccessful, the NMB as one of its last formal obligations, may request the parties to submit their dispute to binding arbitration. If either party refuses arbitration, the Board is required to formally notify both parties of its failure to reconcile their differences. Again, a "status quo" period is instituted, and neither party can alter the terms of the collective bargaining agreement for 30 days from the date of the NMB's notice unless, in the interim, arbitration is agreed on, or an agreement is reached by the parties. If, however, these measures fail, and emergency board may be established under Section 10 of the act. Action under this section is taken if, in the opinion of the Board, an actual or imminent

strike arising out of an unresolved dispute "threatens to substantially interrupt interstate commerce." The Board so notifies the President, who, as a last resort under the act, may establish an emergency board to examine the nature of the issues and to make recommendations concerning the dispute.

### History of railroad legislation

Like some other provisions of the act, inclusion of the emergency boards proceeded from 38 years of experience gleaned in previous railroad legislation.

*1888:* First endeavor made by Congress to eliminate or minimize serious railroad disputes; instituted the use of voluntary arbitration and temporary investigating panels created by the President to investigate and report the underlying causes of disputes.

*1898:* Erdman Act passed; for the first time the Federal Government utilized the procedure of voluntary mediation, which was conducted jointly under the auspices of the Commissioner of Labor and the Chairman of the Interstate Commerce Commission; "status quo" period adopted during course of arbitration; investigation feature of 1888 act abandoned.

*1913:* Previous procedures adopted by Newlands Act; more formal provisions for voluntary arbitration instituted; primary reliance on mediation to solve disputes; permanent board of mediation and conciliation created.

*1917:*<sup>34</sup> Federal Director General assumed control of railroads on December 28, 1917; instituted national handling of wage proposals and signed national agreements with unions; more standardization of work rules and working conditions achieved; bipartisan adjustment boards developed.

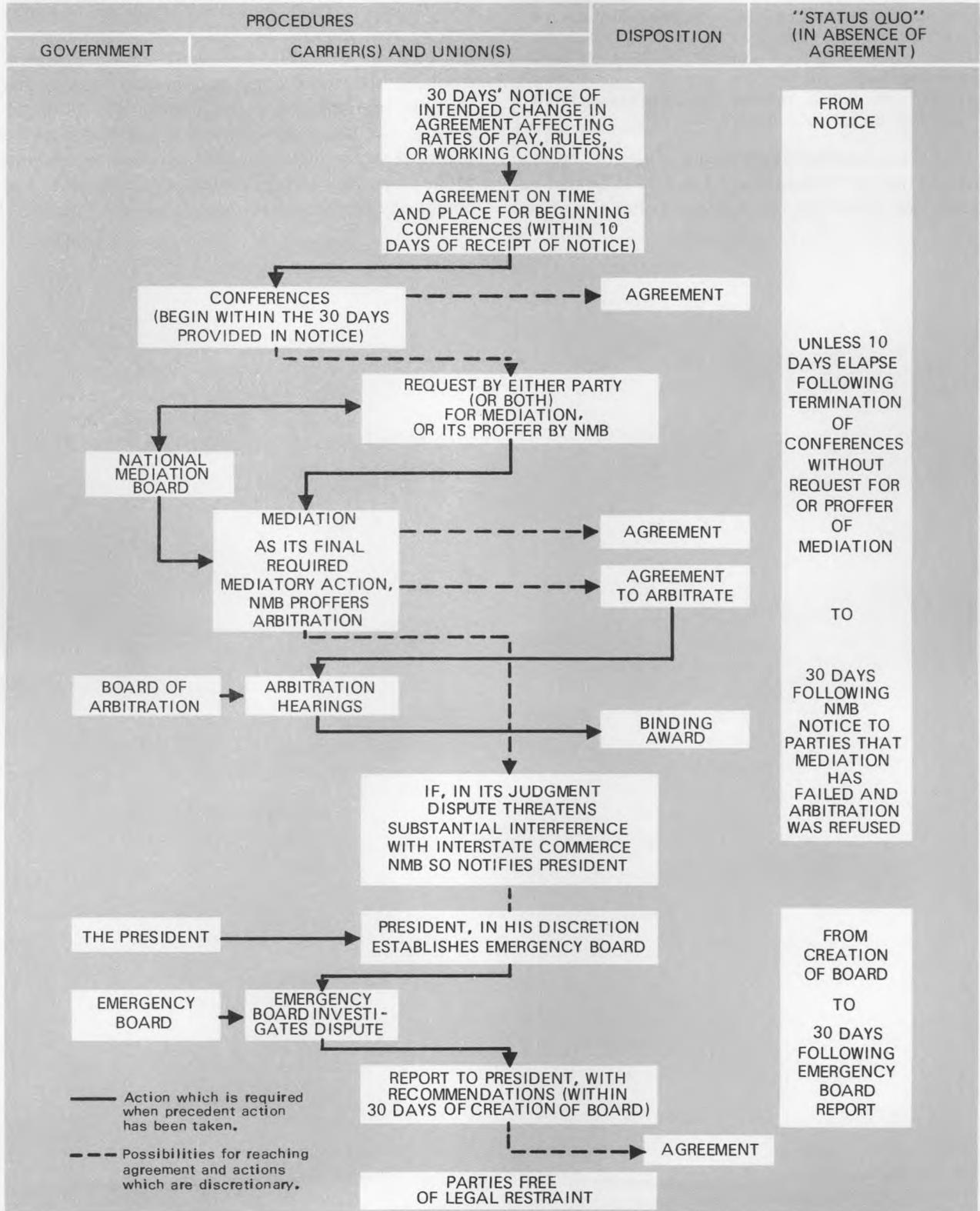
*1920:* Transportation Act of 1920 passed; media-

<sup>33</sup> Congress of the United States. In U.S. 44 Stats., 557 ch. 347, 69th Cong. (1926), as amended Congress of the United States. In U.S. 48 Stats. 1185, ch. 691 73d Cong. (1934).

<sup>34</sup> In 1916, the Adamson Act was passed in an attempt to compose (settle) a dispute concerning the basic 8-hour day by direct Congressional intervention. The author assumes this extralegal measure must be the precedent for ad hoc legislation passed since 1963.

Chart 1

**Railway collective bargaining procedures and "status quo" periods under the Railway Labor Act.**



tion discarded; primary reliance placed on collective bargaining; voluntary arbitration adopted as secondary line of defense; tripartite tribunal (National Railroad Labor Board) created by Title II of act to "investigate" and "decide" disputes of all types; Board mandated to issue recommendations which were not specifically enforceable concerning settlement of the dispute; reliance was placed on public opinion to force recalcitrant party to accept recommendations.

Within a relatively short period of time, it became evident that the Transportation Act of 1920 had become ineffective, that the Railroad Labor Board had

become practically powerless, and that the parties had become dissatisfied with the provisions and implementation of the act. After holding conferences, the Nation's railroads and labor organizations jointly drafted and sponsored a bill which eventually was accepted by Congress and approved by President Coolidge; this was the first time in labor history that the interested parties wrote a labor act. With the passage of this law, mediation was reinstated as the principal means of settling railroad disputes and was to be supplemented by voluntary arbitration and emergency factfinding boards.

## Chapter III. Railroad Mediation Cases <sup>36</sup>

### Role of the National Mediation Board

Under the provisions of the act, two primary duties, relating to two types of disputes, are delegated to the NMB: (1) the mediation of disputes which involve proposals to change wages, rules, or working conditions (major disputes); and (2) the determination and certification of the representative of any craft or class of employees after secret-ballot elections (representation disputes). This chapter briefly describes the railroads' experience with major disputes, some of which have required the appointment of emergency boards.

Contrary to widely held beliefs, mediation often has been used effectively by the NMB to peacefully conclude settlements in the railroad industry. Over the two decades following 1950, the board disposed of 3,984 railroad mediation cases, 1,900 since 1960.<sup>36</sup> (See appendix table A-2.) Whether the slightly smaller number of mediation cases occurring in the 1960's, as against the 1950's, indicated that collective bargaining was more effective or that fewer proposals for changes in the terms and conditions of employment were processed in the former period was not ascertainable.

Ranging from a high of 306 in 1969 to a low of 133 in 1963, the distribution of railroad mediation cases successfully mediated, withdrawn by the parties, or dismissed by the Board differed significantly among adjacent years; however, large numbers of cases tended to cluster, especially in the years 1951-53, 1955-58, and 1968-69. In the early 1950's, the standard railway unions, with the exception of operating organizations whose proposals dealt with the manning of diesel locomotives and the establishment of the 40-hour workweek, were con-

<sup>36</sup> All data, except for work stoppage figures, in this and in the following sections are based on the fiscal year (ending June 30).

<sup>37</sup> 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.

cerned mainly with nonwage issues. Prominent among these issues were grievances, time claims, jurisdictional disputes, union shop, and other rules dealing with operational matters. Excluding the large number of mediation cases dealing with rates of pay in 1956, the NMB was concerned primarily in the second half of the decade with jurisdictional disputes, time claims, and rules demands, particularly those dealing with health and welfare, vacations, holidays, and cost-of-living provisions. However, toward the end of the decade (1958) a significant change took place. Actual or anticipated introduction of laborsaving devices and changes in operational methods generated pressures which resulted in the processing of "Section 6" notices relating to job security provisions.

Throughout the 1960's, anticipated or actual displacements of railroad workers or reductions in their earning capacity because of (1) accelerations in planned or actual consolidation of carriers or facilities and (2) introductions of laborsaving equipment or new methods of work performance affecting manpower utilization resulted in numerous proposals dealing with job security, employment stability, severance pay and related matters. Because of the rising cost-of-living during fiscal year 1969, disputes dealing with wages and other economic issues became progressively more prevalent.

### Operating and nonoperating groups

Of the mediation cases disposed of between 1950 and 1969 that could be classified by major occupational group, 2,312 (61 percent) involved operating employees and 1,503 (39 percent) nonoperating employees. (See appendix table A-3.)<sup>37</sup> Operating employees accounted for an inordinately large and growing share of mediation cases over the years, especially in light of their numbers in relation to total

<sup>37</sup> The category of combined railroad workers was eliminated from the analysis because classification of those mediation cases by major group was impossible.

railroad workers. Over the 20-year period, these employees constituted slightly less than 25 percent of the total railroad labor force.<sup>38</sup>

**Table 2. Mediation cases disposed of, by occupational group, selected periods, 1950-69**

| Year    | Total  |         | Operating groups |         | Nonoperating groups |         |
|---------|--------|---------|------------------|---------|---------------------|---------|
|         | Number | Percent | Number           | Percent | Number              | Percent |
| 1950-69 | 3,815  | 100.0   | 2,312            | 60.6    | 1,503               | 39.4    |
| 1950-54 | 944    | 100.0   | 471              | 49.9    | 473                 | 50.1    |
| 1955-59 | 1,059  | 100.0   | 663              | 62.6    | 396                 | 37.4    |
| 1960-64 | 788    | 100.0   | 468              | 59.4    | 320                 | 40.6    |
| 1965-69 | 1,024  | 100.0   | 710              | 69.3    | 314                 | 30.7    |

SOURCE: National Mediation Board data.

Within the operating group, the division of mediation cases involving the three separate classifications of train, engine, and yard employees was not available, but a distribution of nonoperating employees by major occupations was made. With the addition of the clerical and related class to the operating crafts, these groups participated in approximately 70 percent of all railroad mediation cases, as follows:

|         | <i>Train, engine and yard service, clerical and related</i> |                |
|---------|---|----------------|
|         | <i>Number</i>   | <i>Percent</i> |
| 1950-69 | 2,712   | 71.1           |
| 1950-54 | 589   | 62.4           |
| 1955-59 | 769   | 72.6           |
| 1960-64 | 566   | 71.8           |
| 1965-69 | 788   | 77.0           |

SOURCE: National Mediation Board data.

## 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. Nevertheless, when an impasse has been reached, generally one broad issue can be identified as the impediment 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 A-2, mediation cases were classified by the issue considered by the parties and the mediators as primarily responsible for the impasse.

Because of the unavailability of data for the pre-1955 period, the analysis was confined to subsequent years. Of the 2,999 mediation cases disposed of between 1955 and 1969, 2,114 were concerned with work rules, 671 with rates of pay, 30 with the nego-

tiation of first contracts, and 184 with miscellaneous issues. (See appendix table A-2.) Work rules were the principal subject of mediation cases docketed by the Board over the 15-year period (70.5 percent) and also in each of the three subperiods, 1955-59, 1960-64, and 1965-69. In fact, this issue accounted for a growing share of total cases between the subperiods. Combined with wages (the second most prominent issue), work rules and rates of pay were involved in 92.9 percent of all railroad mediation cases. New agreements and miscellaneous issues accounted for a small and declining share (7.1 percent) of total cases, probably because the negotiation of first collective bargaining agreements was nearly at an end in the railroad industry by 1950 and because such miscellaneous issues as grievances and time claims were being processed through other adjustment machinery.

## Disposition of mediation cases<sup>39</sup>

Of the various methods of disposing of these 2,999 cases, mediation agreements constituted the most prevalent method of settlement, far exceeding other categories. Between 1955 and 1969, 1,672 of these agreements, accounting for 55.8 percent of all railroad mediation cases, were consummated. Thus, after direct negotiations had failed, the NMB's efforts were effective in assisting the parties to reach agreement.

As table 3 indicates, the consummation of mediation agreements varied between the 5-year periods; a decline occurred between the first and the second subperiods, because of an increase in the absolute and relative number of dismissals and withdrawals, and an upswing took place in the third period. Although more cases were disposed of by mediation agreements in the first and third subperiods compared with the second, in relative terms fewer and fewer accords were reached by mediation in each successive subperiod.

**Table 3. Number of mediation agreements and percent of total cases disposed of, selected periods, 1955-69**

| Years   | Number | As a percent of total mediation cases disposed of |
|---------|--------|---|
| 1955-69 | 1,672  | 55.8  |
| 1955-59 | 690    | 62.8  |
| 1960-64 | 445    | 54.7  |
| 1965-69 | 537    | 49.4  |

SOURCE: National Mediation Board data.

<sup>39</sup> Data on disposition of railroad mediation was also unavailable before 1955. (See appendix table A-2.)

<sup>38</sup> Based on class I carriers' employment figures.

Two other categories of disposition, withdrawals and dismissals,<sup>40</sup> were significant. Over the 15-year span, they accounted for 923 dispositions (552 and 371, respectively). The number of withdrawals and the number of dismissals varied considerably between the three 5-year periods, declining between the first and second subperiod and increasing between the second and third. In relative terms, the distribution of dismissals plus withdrawals increased significantly between the three subperiods: 23.7 percent, 28.5 percent, and 39.7 percent, respectively.

Arbitration, another method for disposing of mediation cases, was seldom used by the parties. During the 15-year period under consideration, only 32 agreements to arbitrate were reached, an average of slightly over two annually. Since 1955, the parties' interest in this procedure has apparently declined in both absolute and relative terms. Perhaps this decline reflected both labor and management's refusal to allow third parties to determine the terms and conditions of employment, especially complicated work rules. The following tabulation shows how mediation cases disposed of by arbitration agreements declined between 1955 and 1969.

<sup>40</sup> 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 dismisses the request for its services according to the conditions required under the act (RLA).

| <i>Years</i>  | <i>Number</i> | <i>Percent</i> |
|---------------|---------------|----------------|
| 1955-69 ----- | 32            | 1.1            |
| 1955-59 ----- | 17            | 1.5            |
| 1960-64 ----- | 9             | 1.1            |
| 1965-69 ----- | 6             | 0.6            |

SOURCE: National Mediation Board data.

The remaining category of settlement, refusals-to-arbitrate, constituted a significant measure of the Board's success and its failure in achieving the objectives of the RLA and the parties' acceptance of the spirit and intent of the act. Over the 15-year span, one or both parties refused to accept arbitration as a final and binding method to resolve the issues in dispute on 372 occasions: 105 times by carriers; 229, by unions; and 38, by both.

Excluding dismissals and withdrawals, 2,076 cases were resolved by mediation (in 80.5 percent of the cases), arbitration (1.5 percent), and refusals-to-arbitrate (17.9 percent). With the consummation of the first two methods of settlement, the objective of peaceful industrial relations, as envisioned by the act, was achieved. On 372 occasions however, the Board was unsuccessful in persuading the parties to rely on the lower machinery of the act to resolve labor-management controversies. Because of the 372 refusals, 47 emergency panels (involving 68 mediation cases) were created in the 15-year period.

## Chapter IV. Appointment of Railroad Emergency Boards

### Intent of the act

Since the RLA does not fully define the role of emergency boards, an inquiry into the Congressional hearings conducted before the law's enactment in 1926 should help to clarify the function and goals of this procedure. One witness (counsel for the organized railroad employees), testifying at the Senate hearings, asserted that the "primary purpose and use for such a board is clearly a last effort to settle a controversy which threatens to injure public opinion . . . Such . . . (a) board . . . would . . . want to exercise first of all the mediatory power that would rest within its hands."<sup>41</sup> Beyond the primary function, the boards were to conduct investigations concerning the issues in dispute, to prepare impartial recommendations, and to make their reports to the President.<sup>42</sup>

The technique purportedly represented a recognition of the public interest by the parties when they were confronted by an impasse in negotiation:

The most valuable feature of this law is the fact that it represents the agreement of the parties, that they will be under the moral obligation to see that their agreement accomplishes its purpose, and that if (it is) enacted into law, they will desire to prove the law a success.<sup>43</sup>

As such, this tool was clearly an aid to collective bargaining and was to perform the service of prompting continued dialogue and compromise.

It was obvious from the Congressional hearings that all parties concerned anticipated that this instrument of last resort would be infrequently utilized.<sup>44</sup>

<sup>41</sup> *Railway Labor Act*, Hearings before the Committee on Interstate Commerce, U.S. Senate, 69th Cong., 1st Sess., on S. 2306, Pt. 1, p. 83. (later cited as *1926 Senate Hearings*). Also see *Railroad Labor Disputes*, Hearings before the Committee on Interstate and Foreign Commerce, U.S. House of Representatives, 69th Cong., 1st Sess., on H.R. 7180, pp. 19 and 118. (later cited as *1926 House Hearings*).

<sup>42</sup> *1926 Senate Hearings*, op. cit., p. 35. *1926 House Hearings*, op. cit., p. 18.

<sup>43</sup> *1926 House Hearings*, op. cit., p. 21.

<sup>44</sup> *1926 House Hearings*, op. cit., p. 109.

During the RLA's early years (1926–40), the act apparently proved successful. On only 17 occasions were Presidents forced to resort to the use of an emergency procedure. Furthermore, recommendations of the boards were accepted, and labor disputes in the industry were minimal.<sup>45</sup>

By 1941, however, collective bargaining relations in the industry began to deteriorate noticeably. Pending "minor disputes" (controversies arising over the meaning or application of an agreement) began to accumulate, especially in the First Division which handles minor disputes involving operating employees. Nor were the awards always accepted by management, who purportedly claimed the decisions were too "legalistic or pro-labor or both."<sup>46</sup> Unions, on the other hand, purportedly did not bargain conscientiously on grievance issues and "forced" their arbitration in the belief that they would obtain greater concessions from adjustment boards.<sup>47</sup> For major disputes, direct negotiations proved progressively less successful and the number of mediation cases coming before the NMB increased substantially.<sup>48</sup> Between 1941 and 1949, the number of actual work stoppages (91), as well as imminent disputes, accelerated rapidly, and 55 railroad emergency panels were appointed. In addition, 51 boards—the vast majority dealing with railroads—were created during World War II years (1943–47) by the National Railway Labor Panel to supplement the "Section 10" procedures of the RLA.<sup>49</sup>

A distinct new pattern of emergency board imple-

<sup>45</sup> According to the Department of Labor's Bureau of Labor Statistics, a total of 11 work stoppages occurred in the period 1934–40.

<sup>46</sup> *Emergency Board Report No. 97*, op. cit., p. 68.

<sup>47</sup> *Ibid.*

<sup>48</sup> Between 1935 and 1939, an annual average of approximately 110 railroad mediation cases were disposed of by the Board, the average rising to 202 during the next 5 years (1940–44).

<sup>49</sup> *Twenty-Ninth Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1963* (U.S. National Mediation Board, 1964), p. 7.

mentation was becoming perceptible. In 1941, the major railroad unions "progressed" (advanced) national wage demands, and management met the unions proposals with counter demands for rule changes. After an impasse was reached in conferences between the parties, the mediatory services of the Board were utilized. When mediation proved unsuccessful, arbitration was proffered and rejected by the unions. With an imminent work stoppage in sight, the President appointed an emergency board whose recommendations were rejected by the unions. In an unexpected and unprecedented stratagem, the President, hoping to keep the roads operating, personally intervened in the dispute and recommended that the Board be reconvened and their report be modified.<sup>50</sup>

### **Railroad emergency boards, 1950–69**

Since 1950, the Board has disposed of 3,984 mediation cases, of which 94 required the final step in the RLA emergency procedures. (See appendix tables A-4 and A-5.) In total, 71 emergency panels were appointed by the President to investigate and report on these disputes. Occurring mostly in scattered clusters, the incidence of these boards over time was irregular and depended on various factors, such as the extent and complexity of proposals, economic trends, pattern settlements, moratoriums, the "forcing" of emergency panels' appointments through strike threats, the parties' understanding of the tools provided by the act, and court decisions (discussed in a later section).

### **Factors affecting the appointment of boards**

*Moratoriums.* At least overtly, the prime mover of industrial relations stability is the negotiation of wage and rule moratoriums in labor agreements. Unlike those in most other industries, railroad collective bargaining agreements are open-ended, that is, they contain no definite termination date and are subject either to reopenings for negotiation or to termination at any time, on proper notice by either party. Moratorium provisions, on the other hand, specify time spans during which labor and management agree neither to initiate nor to process demands for modifica-

tions in rates of pay, rules, or working conditions. When moratorium provisions are included in railroad labor agreements, the "exposure rate", or chance of conflict, obviously is diminished extensively. For instance, the relative calm in the years 1958–1959 can be attributed, to a significant degree, to 3-year wage and rule agreements which were signed by the railroad employees and the major trunk line rail carriers and other ancillary rail facilities and which contained moratoriums extending until November 1, 1959.

*National movements.* Whether a dispute eventually culminated in a work stoppage or not, the nature of bargaining in the railroad industry—the preponderance of national wage and rule movements—inherently carried with it the potential of a national emergency. In the processing of these movements, the experience was generally satisfactory when the demands involved relatively uniform wage proposals or few rule changes. When the parties initiated proposals dealing with numerous rule changes or with substantial modifications in existing rules or the revision of the entire agreement, the resultant conflicts proved extremely difficult to settle. An example was the set of proposals brought before Emergency Board No. 147, which involved job security and income protection. Since railroad labor contracts may contain as many as 100 provisions or rules dealing with the terms and conditions of employment, and since the proposed modification of a single rule often produces many issues between the parties, the likelihood of protracted disputes in rules cases was substantial.

When the national wage and rule disputes were settled, the accords usually created patterns for the railroad industry, extending to practically all the major railroads. Other carriers or ancillary railroad facilities which did not participate in these industry-wide negotiations generally settled on identical or similar terms. Therefore, if the initial national movement resulted in an agreement without resort to economic "self-help" (a strike or lockout), the negotiations of hundreds of similar settlements on the various carriers in the industry became unnecessary. For example, on March 2, 1959, the Conductors (ORCB) served the Nation's carriers with wage proposals which were met by counter demands for cancellation of cost-of-living provisions and for a reduction in wages and allowances. After an impasse was reached in direct negotiations, the dispute was settled by mediation of June 4, 1960.

<sup>50</sup> Apparently, there were only three direct Presidential interventions in railroad emergency board disputes before 1950, twice by Franklin D. Roosevelt (in 1941 and in 1943) and once by Truman (in 1946).

On the other hand, some of the industrywide negotiations were not settled peacefully and resulted in transportation crises which at times had adverse effects on the economy. For example, on November 2, 1959, the Nation's major carriers, associated with the National Railway Labor Conference, served "Section 6" notices dealing with rule changes on all five operating unions. After exhausting all provisions of the act, including use of an emergency board, a Presidential Commission was appointed to consider the dispute. Even though the National Mediation Board, an emergency board, the President of the United States, the U.S. Department of Labor, and a Presidential Commission (among others) intervened in this dispute, three work stoppages ensued, including one terminated by Congressional ad hoc legislation (Public Law 88-108).

*Economic trends.* Economic trends have also played a substantive role in determining the incidence of emergency situations. In periods of rising national employment, output, and prices, pressures which were transmitted to the industry led the union leadership (and rank-and-file) to seek substantial wage increases and management to issue counter proposals dealing with rule changes. Secular trends in the competitiveness of the railroad industry with other modes of transportation, as well as the introduction of new technology, have induced management to adopt alterations in work methods, resulting in union proposals for rule changes, employment stabilization, and income protection benefits.

*Strike threats.* Creation of emergency situations through strike threats also has precipitated the Board's proffer of mediation under section 5 of the act and, at times, its notification to the President of an imminent work stoppage that threatened to substantially interrupt interstate commerce. The Board has stated many times that its efforts were more successful in reconciling the parties' divergent interests when the dispute was not complicated by a strike threat.

When strike threats were issued, the procedures of the act often had not been exhausted, either in the adjustment process for "minor" disputes or in collective bargaining, mediation, and arbitration for the handling of major disputes. For instance, Emergency Board No. 86 chastised the Trainmen, who were confronted with the introduction of Budd Diesel cars, for not inaugurating proceedings before an adjustment board or under "section 6" of the act. "In

preference to either of these alternatives, it invoked mediation; and when it failed to achieve its objectives, it voted to strike. This procedure caused the controversy to come before an Emergency Board without the basic issues ever having been considered in conference between the parties, and without (the basic issues) having been presented to this (Emergency) Board."<sup>51</sup>

Moreover, unions sometimes issued strike threats in the belief that this action would result in greater concessions than would otherwise be obtainable. Thus, both parties tended to refrain from granting concessions until after the emergency board's report had been released.

*Role of the parties.* Ultimately, the factor determining the incidence of emergency board appointments is the parties themselves. The act is based on the principles of freedom of contract and maximum self-determination, rather than on government coercion. Under this system, the principals must decide the merit of their proposals and negotiate "liveable" collective bargaining agreements which will provide adequately for the public interest. To aid the parties in this pursuit, the act provides for various settlement procedures. These procedures, in themselves, obviously cannot guarantee industrial relations stability and the absence of work stoppages. If labor and management genuinely accept the spirit and intent of the act and attempt to understand its procedures and to utilize the tools available to them, the appointment of an emergency board should be a rare occasion.

*"Proliferation" of emergency boards.* In the past 20 years, the "Section 10" procedure has been depicted as being overused and labor-management negotiations in emergency disputes as being dominated by the Government, contrary to the original intent of the act. Critics have frequently charged that the NMB 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 threatened interstate commerce. Since the railroad unions have routinely set strike dates when impasses were reached in negotiations or in mediation conducted by the Board, the occurrence of these "imminent work stoppages" has been extremely high. Consequently, it has appeared that the effectiveness of the emergency board proce-

<sup>51</sup> *Emergency Board Report No. 86, op. cit., p. 6.*

dures as an instrument of last resort has been reduced and that the parties to the disputes have integrated the procedure into their own collective bargaining strategy.

If this lessening of effectiveness has in fact occurred, its cause may have been in the implementation of the act.<sup>52</sup> The proponents of the act and Congress obviously had anticipated that few emergency situations would occur and require the appointment of an emergency board, which was intended to be an instrument of last resort. But by the early 1950's, "the term 'emergency', in the sense of limitation to rare cases, was becoming outmoded."<sup>53</sup> As the NMB observed in one of its annual reports:

The three (earlier) steps (negotiations, mediation and arbitration) should operate to hold to a minimum the necessity for the use of Emergency Board procedure (sic). Such procedure was not designed as a substitute for collective bargaining or to provide a catchall for all disputes or a temporary refuge from the problems that should be faced and resolved by sincere and conscientious collective bargaining efforts, but was intended for use only in extreme situations where work stoppages on important transportation facilities would result in substantial disruption to business and would impose extreme hardships on the traveling public in peacetime or retard or impede defense efforts in time of war or national emergency.<sup>54</sup>

*Ineffective collective bargaining.* Collective bargaining on the local properties constitutes the first step in reaching an agreement between the parties. In the vast majority of cases, negotiations are concluded on these properties without government intervention or active assistance of the Board. Although there are no accurate statistics on the number of peaceful settlements at this level, the NMB receives on the average, annually, well over 1,000 amendments or revisions of labor agreements. This statistic understates the number of "Section 6" notices served by the parties on each other, since many revisions or amendments, especially those dealing exclusively with local issues, are never filed with the Board.

<sup>52</sup> The avowed efficacy and acceptance of the act, even by late 1949, can be exemplified by this quote from one labor leader: "The splendid record which the railroad industry has developed generally in the peaceful settlement of differences which have arisen is ample and eloquent testimony of the high regard in which this Act is held." (*Trainmen News*, Oct. 3, 1949, p. 3.)

<sup>53</sup> *Emergency Board Report No. 97*, op. cit., p. 68.

<sup>54</sup> *Twenty-Fourth Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1958* (U.S. National Mediation Board, 1959), p. 7.

At times however, the machinery of collective bargaining, for the reasons cited in the following sections, may break down, and this failure can result in a national emergency. On union leader intimately involved in many railroad disputes has characterized the cause of emergencies in the industry in these terms: "Those who charge that the RLA has broken down either fail to understand it (the act) or refuse to do so. The act has succeeded. It is collective bargaining that has failed."<sup>55</sup>

According to the members of Board No. 169, perfunctory bargaining occurred in most disputes that culminated in the use of the act's emergency machinery:

It became apparent that no real bargaining has actually taken place between the parties (prior to) their appearance before the Board. We believe this is generally the case in proceedings before Emergency Boards . . . The parties begin to negotiate only after an Emergency Board has been appointed, and often only after a report has been submitted to the President. We believe that continuation of this practice will defeat other attempts to improve labor relations in the railroad industry.<sup>56</sup>

Observing a similar tendency, the members of Emergency Board No. 154 noted, "there has been an unfortunate tendency in this industry to postpone real collective bargaining until the final hour."<sup>57</sup>

One manifestation of this inclination was the actual number of days the parties faced each other across the bargaining table in negotiations.<sup>58</sup> The principals involved in Emergency Board No. 147 (1958) failed to reach an accord in their only conference conducted before invoking the mediatory services of the NMB. The parties who participated in the deliberations before Emergency Board No. 145 conferred only four times before requesting government intervention. Similarly, an impasse in direct negotiations preceding Board No. 118 was reached almost immediately; and, after the NMB's proffer of arbitration, the parties negotiated only once. Between July and October 1957, the participants involved in Emergency Board No. 133 (Pennsylvania Railroad and the Transport Workers) conferred for

<sup>55</sup> *Machinists Monthly Journal*, November 1950, p. 329.

<sup>56</sup> *Report to the President by Emergency Board No. 169* (U.S. National Mediation Board, March 10, 1967), p. 4.

<sup>57</sup> *Report to the President by Emergency Board No. 154* (U.S. National Mediation Board, May 13, 1963), p. 11.

<sup>58</sup> This measure is arbitrary and does not reflect "conferences" conducted over the telephone, by letters, and by other "informal" means of communications.

only 2 days. In many of these emergency situations, the unions claimed that the carriers, assured of government protection against actual or imminent work stoppages, did not engage in "genuine" bargaining. On the other hand, management asserted that the unions, in the expectation of precipitating an emergency dispute, did not conduct "good-faith" negotiations, but awaited the appointment of a board and its report, of which the favorable recommendations would be accepted and the others would be rejected.<sup>59</sup>

*National cases.* In connection with national cases, the NMB, as early as 1950, publicly disclosed its concern with the parties' perfunctory bargaining:

The Board is further disturbed by the apparent reluctance of both the carriers and the organizations in national cases to conduct through collective bargaining; each side apparently feeling that the responsibility for the disposition of all such cases should be attached to some other source. If the Railway Labor Act is to survive, there must be an ever-present consciousness of and the desire of the parties to make it work in the manner which they (the parties) so strongly advocated when it was placed on the Federal Statute books.<sup>60</sup>

At that time there was a growing tendency for fewer and fewer national movements to be settled in mediation, and, in the early 1950's, emergency boards became increasingly ineffective in the settlement of such disputes.<sup>61</sup> For example, on March 1, 1951, several unions representing nonoperating employees signed their first wage settlement, in 14 years, not disposed of by arbitration or an emergency board.<sup>62</sup> In their next four general wage movements, three resulted in the appointment of an emergency board.<sup>63</sup>

This same problem also was evident in the national movements of ancillary rail facilities. Except for a negotiated agreement in 1960, all of the Railway Express Agency (REA) and the Teamsters' (IBT) national bargaining movements, which were

<sup>59</sup> The parties, themselves, have requested the appointment of boards, e.g., the unions for Emergency Board Nos. 81, 95, 173, and others; the carriers for Emergency Board Nos. 129, 154, 157, 172, and others.

<sup>60</sup> NMB, *Sixteenth Annual Report*, op. cit., p. 7.

<sup>61</sup> *Eighteenth Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1952* (U.S. National Mediation Board, 1953), p. 24.

<sup>62</sup> *Monthly Labor Review*, Vol. 72, No. 4, Apr. 1951, p. 451.

<sup>63</sup> *Report to the President by Emergency Board No. 159* (U.S. National Mediation Board, Apr. 3, 1964), p. 26.

initiated in 1941, resulted in the creation of emergency boards, 12 in number, the last one appointed in September 1962.<sup>64</sup>

*Grievance boards.* Besides ineffective and perfunctory collective bargaining, another activity which violated the spirit and intent of the act and which vitiated the effectiveness of its implementation was evident in the early 1950's.<sup>65</sup> In seven instances, the parties did not comply fully with the adjustment machinery that the RLA provided for the settlement of disputes dealing with the interpretation and application of agreements, i.e., grievances or time claims.<sup>66</sup> Instead they actively impaired the effectiveness of the act by "forcing" the use of mediation and emergency boards for the processing of these controversies, contrary to the intent of the framers of the act:

We come here with the implication by our coming that both parties are committed to this (the act) as a means of preventing interruptions of transportation. And that every step in it must be pursued before there is an interruption of transportation.<sup>67</sup>

In the early 1950's, the NMB usually pursued a policy of refusing to docket mediation cases which were properly referable to adjustment boards. When confronted with a strike threat or an imminent work stoppage, the Board, however, proffered its mediatory services, as authorized under section 5(b), in an attempt to prevent interruptions of railroad operations. In some instances (e.g., Emergency Board No. 86), the parties did not negotiate on the local properties prior to bringing the dispute before an emergency board. Several of the grievances processed by emergency panels were pending before adjustment boards or were previously decided in principle by a prior emergency or adjustment board, e.g., Emergency Board No. 79.

Moreover, the parties, at times, threatened to resort to "self-help" (economic force) rather than to the normal channels of the RLA's procedures. One emergency board (No. 91) characterized this practice as one pursued "in the hope that it (an emergency board) will make favorable recommendations concerning contentions about grievances, with no

<sup>64</sup> *Report to the President by Emergency Board No. 153* (U.S. National Mediation Board, Nov. 10, 1962), p. 4.

<sup>65</sup> Starting in 1945, operating unions displayed a growing inclination to set strike dates on grievance dockets which were properly referable to an adjustment board, particularly the First Division's.

<sup>66</sup> Emergency Board Nos. 76, 78, 79, 80, 86, 91, and 104.

<sup>67</sup> *1926 Senate hearings*, op. cit., p. 16.

binding effect if the reverse recommendation should be made.”<sup>68</sup> On some occasions, the unions claimed that the railroads systematically ignored the stages of negotiations and mediation, and thus, “made the last step the first by hurdling the first two steps . . . into an emergency which need not have existed,”<sup>69</sup> e.g., Emergency Board No. 79.

At other times, the unions agreed that the grievances were within the jurisdiction of an adjustment board, but claimed that the circumvention of normal channels was necessary because of processing delays in these types of disputes and because of the carriers’ refusals to apply precedents, e.g., Emergency Board No. 78. Considerable merit seemed to exist on the matter of delay, as evidenced by this statement of Emergency Board No. 76:

This Board is not unmindful of the fact that for some considerable time there has been long and unusual delay in the progressing of cases through the First Division (adjustment boards). A number of other Emergency Boards have taken note of this unfortunate situation and have made recommendations for the elimination of these delays. We believe that substantial progress has recently been made in that direction . . . (W)e should however like to point out that if it is permissible under the Railway Labor Act for employees to circumvent the functioning of the Adjustment Board merely by creating a situation that calls for the appointment of an Emergency Board the act has lost its efficacy for maintaining harmonious and orderly relations in the railroad industry insofar as operational disputes are concerned.<sup>70</sup>

NMB records also substantiated the union claims. The number of pending minor cases dealing with the interpretation and application of agreements increased substantially between 1947 and 1952. A vast majority of these docketed and pending cases (77 percent in 1953) were accounted for by the adjustment boards in the First Division.

<sup>68</sup> Report to the President by Emergency Board No. 91 (U.S. National Mediation Board, Sept. 13, 1950), p. 7.

<sup>69</sup> Labor, March 4, 1950, p. 1.

<sup>70</sup> Report to the President by Emergency Board No. 76 (U.S. National Mediation Board, Aug. 2, 1949), pp. 2-4.

To relieve the First Division’s burdensome workload, leaders of the five operating organizations and the three carrier conference committees consummated an agreement creating two supplemental adjustment boards on May 19, 1949. Because of delays in obtaining the necessary funds, the boards did not function effectively until January 1950. During the next 4 fiscal years, the number of minor cases disposed of by the First Division, fluctuating substantially, increased, as shown below:

|            | <i>Cases disposed of</i> |
|------------|--------------------------|
| 1949 ----- | 731                      |
| 1950 ----- | 1,438                    |
| 1951 ----- | 1,110                    |
| 1952 ----- | 1,313                    |
| 1953 ----- | 2,792                    |

On December 12, 1953, the union leaders representing the operating employees advised the carrier conference committees that they desired to terminate these adjustment boards, the official cessation coming on March 22, 1954.

A landmark decision which effectively eliminated the “necessity” of appointing emergency boards to consider grievance cases was the Brotherhood of Railroad Trainmen vs. the Chicago River and Indiana Railroad Co.<sup>71</sup> After conducting negotiations dealing with 21 grievances on the local properties, the trainmen set a strike date, and the NMB proffered mediation. Following the exhaustion of mediation and the rejection of arbitration, the carrier filed a grievance with an adjustment board. After the union again set a strike date, the carrier transferred the case to the courts. When the case finally was appealed to the Supreme Court, it ruled that once a grievance dispute was brought before an adjustment board the courts could issue an injunction to halt a work stoppage and that the provisions requiring the submission of minor disputes to adjustment boards “were to be considered as compulsory arbitration in this limited field.”<sup>72</sup>

<sup>71</sup> Brotherhood of Railroad Trainmen vs. Chicago River and Indiana Railroad Co., 353 U.S. 30 (1957).

<sup>72</sup> Ibid., p. 39.

## Chapter V. The Role of Government

Another contributory factor explaining the “proliferation” in the number of emergency boards was that these panels were not always instruments of last resort. At various times, one of the principals claimed that the other did not bargain in “good faith” and awaited the appointment of an emergency board. The unions asserted that the carriers acted on the assurance that the government would intervene to settle an imminent or actual national emergency dispute, and the carriers argued that the organizations perfunctorily progressed the controversies through the emergency procedures until the “final” step was reached in anticipation of reaping “rewards” beyond those recommended by the boards by utilizing political influence to obtain more favorable terms from Congress or the White House. Under these conditions, labor and management were both inclined to adopt relatively inflexible, doctrinaire bargaining positions and refused to grant concessions until the boards issued their reports.

Faced with impasses in negotiations and pending work stoppages, the Federal Government often actively intervened under the stress of pressures and the necessity of protecting the public interests, despite the fact that direct government intervention, exclusive of the (National) Mediation Board's role, was not contemplated by the framers of the law. The counsel for the Firemen and Engineers, testifying before the Emergency Board No. 97, asserted that:

Another fault in recent years stems from the tendency of the Executive Departments to subordinate or disregard the functions of the National Mediation Board, and to take direct charge of and to make recommendations for the settlement of disputes. Then, it appears, after negotiations have failed, the (emergency) boards have been appointed by the executive's office for a specific purpose to perhaps report on a prejudged dispute rather than to study the facts impartially and objectively.<sup>73</sup>

Individuals familiar with the industry have criti-

<sup>73</sup> *Report of Emergency Board Report No. 97*, op. cit., p. 64.

cized the Federal Government, particularly the Executive Branch of placing political expediency before the intent and spirit of the act by offering the “good offices” of the Labor Department or the White House to resolve disputes. Presidents at times have asked for legislation to provide compulsory settlement of imminent or actual disputes, because they felt that direct negotiations had failed. But, it has been argued, direct negotiations may have failed because Presidents at times publicly announced that work stoppages would not be tolerated, thus mitigating the parties' incentive to resolve the disputes on their own. Under these circumstances, it was not surprising that carriers have petitioned the Federal Government for arbitration and other forms of intervention and that unions have applied economic pressures.

### Ad hoc legislation

In four disputes, all since 1963, Congress intervened in railroad national emergency disputes and settled them, at least temporarily, by means of ad hoc legislation.<sup>74</sup> The first case came about when five operating unions were served “Section 6” notices, which primarily dealt with rule changes, especially manning issues, by the Nation's major carriers represented by the Eastern, Western, and Southwestern Carriers Conference Committees. After national conferences were broken off on May 17, 1962, the unions applied for the mediatory services of the NMB. On June 26, 1962, the Board proffered arbitration which was declined by the unions. With the approach of a strike deadline, the President created an emergency board on April 3, 1963, and received the board's report on May 13, 1963. The parties, thereupon, returned to the bargaining table to reach an agreement, but were unsuccessful in their efforts.

<sup>74</sup> On May 18, 1971, Congress passed emergency legislation (Public Law 92-17) ordering a halt to a fifth dispute, a 2-day nationwide railroad strike conducted by the Signalmen (BRS) against carriers represented by the National Railway Labor Conference.

To provide for the settlement of this labor dispute, Congress, on August 28, 1963, enacted Public Law 88-108 requiring compulsory arbitration to resolve two issues. Under the terms of the law, Arbitration Board No. 282 was created with representatives of all the interested parties, including the public, to investigate and to issue a final and binding award on the use of firemen (helpers) and crew consist of train, road, and yard crews. The award was to remain in effect until January 25, 1966. The dispute was revived by demands for rule changes served by the Firemen and Engineers (BLFE) on November 15, 1965, and by the counter proposals issued by the Nation's carriers on January 31, 1966.<sup>75</sup> Under the terms of the union's "Section 6" notice, it desired to restore a majority of the 18,000 firemen positions eliminated by the provisions of Arbitration Board No. 282. After negotiations and mediation proved unsuccessful in resolving the dispute and after arbitration was rejected, a strike was conducted by the union on July 17, 1970, and the President was compelled to appoint an emergency board (No. 177) to resolve the dispute.

Because of an imminent work stoppage after the rejection of Emergency Board No. 169's recommendations, congressional intervention was required for another dispute, one which involved proposals for wage increases, modification of wage differentials, and improvements in fringe benefits for 137,000 workers represented by six shopcraft unions (the Machinists, Boilermakers and Blacksmiths, Sheet Metal Workers, Electricians, Firemen and Oilers, and Carmen). Faced with a strike deadline of April 13, 1967, Congress on April 11, 1967 approved, and the President on the following day signed into law Public Law 90-10, which extended the period of statutory restraint provided in section 10 of the RLA until May 3, 1967. The President, on April 22, 1967, appointed a three-man Special Mediation Panel, which issued a report that included a "mediation solution" to resolve the dispute.

The Panel's report, however, did not produce a settlement; and when an impasse in further negotiations between the parties was reached, the President,

<sup>75</sup> This statement is somewhat misleading since this issue was alive; see Emergency Board Report Nos. 164 (p. 4) and 172 (pp. 2-3).

For a brief and informative digest of the Firemen's dispute, see *Emergency Board Report No. 177*, Appendix A, pp. 11-15; and Joseph F. Fulton, *The Railway Firemen Manning Dispute: History and Issues, 1959-70*, Library of Congress Legislative Reference Service, July 31, 1970.

on April 28, 1967, again petitioned for a congressional solution. On May 2, 1967, Public Law 90-13, which provided for an additional 20 days restraint beyond that provided in section 10 of the act, was passed by Congress and signed by the President. Two days later, in a message to Congress, the President proposed special legislation to dispose of the controversy. Thereupon, the unions agreed to postpone a strike for a "reasonable length of time."

On July 16 and 17, work stoppages were conducted against various carriers and were terminated on July 17 by Congress through passage of Public Law 90-54, which authorized a five-man Special Board to provide a final settlement of the shopcraft dispute. The Board's Report and Determination was issued on August 15, 1967. In subsequent negotiations, the parties accepted the Board's determination.

In November 1968, both parties simultaneously served "Section 6" notices. The unions' demands dealt mainly with wages, and the carriers' with work rules. Some of the issues involved in Emergency Board No. 169 were revitalized in this dispute and included such questions as whether the pattern of wage increases of other nonoperating employees should apply to shopcraft workers, whether to permit continued narrowing of differentials between journeymen (and mechanics and helpers) and less skilled workers, and whether to change some basic rules (subcontracting, advance notice of force reductions due to emergencies). After an impasse in negotiations was reached, the parties jointly applied for the NMB's mediatory services on April 10, 1969. When mediation and arbitration failed to produce a settlement, the President created an emergency board (No. 176) on October 3, 1969. With the issuance of the Board's report on November 2, 1969, all provisions of the act were exhausted without settling the dispute.

The unions, however, did not walk out; instead, bargaining was resumed with the assistance of the Department of Labor. On December 4, 1969, a tentative agreement was reached, but the accord was not ratified by the Sheet Metal Workers (SMWIA). Because this rejection precipitated an imminent national emergency, the President, on March 3, 1970, requested special legislation to deal with the threatened work stoppage. Public Law 91-203 was approved on March 4, 1970, and prohibited a strike or lockout for 37 days. When a final impasse was reached, Public Law 91-226 was passed by Con-

gress, on April 9, 1970, as anticipated by the members of Emergency Board No. 176.<sup>76</sup>

In the fourth dispute, congressional intervention was set in motion by the serving of wage and rule proposals in 1969 by four unions—the Clerks, Maintenance of Way Employees, Hotel and Restaurant Employees, and United Transportation Union (the latter a union created by the merger of all operating employees, except those represented by BLE, on January 1, 1969)—on the members of the National Railway Labor Conference (NRLC). After negotiations were conducted on local and national levels, the parties jointly applied for the mediatory services of the NMB. When mediation failed to resolve the dispute and arbitration was rejected, the President appointed an emergency board (No. 178) on September 18, 1970, and received the Board's report on November 9, 1970. After all the steps in the RLA procedure were exhausted, the NMB officially terminated its mediatory services on August 10, 1970.

During September 1970, negotiations were conducted under the auspices of the NMB and the Department of Labor. An impasse in bargaining quickly developed, and a selective work stoppage was called against three lines, the Baltimore and Ohio, Louisville and Nashville, and Southern Pacific railroads. On the issuance of an injunction restraining the unions from further withdrawing their members' services, the strike was terminated.

Negotiations between the parties resumed once more. Although both wages and rules were in contention, the main obstacles to settlement for the non-operating unions were economic issues and for the UTU, rule issues. On December 10, 1970, the organizations again conducted a nationwide work stoppage, the fifth since the end of World War II. On the same day, Congress passed legislation (Public Law 91-541) that terminated the strike and provided for a wage increase of 13.5 percent, but no modifications in work rules.

### **Presidential railroad commissions**

Besides ad hoc legislation, direct government intervention was evidenced by establishment of three Presidential commissions to investigate and report on critical railroad disputes. The first commission was an outgrowth of the dispute that resulted in the appointment of Emergency Board No. 154 and con-

gressional intervention in the form of ad hoc legislation. On October 17, 1960, the five operating unions and the Nation's railroad carriers agreed to submit their work rules controversy to a Railroad Commission established by President Eisenhower on November 1, 1960. A 15-man Commission, including five representing the public interest, was appointed and reported on February 28, 1962. Because the parties were unable to resolve the dispute on the terms of the report, Public Law 88-108 was passed.

The two remaining commissions dealt with railroad marine disputes, both involving the New York Harbor Carriers Conference Committee. In the first, all the procedures of the RLA were exhausted by the carriers and the Pilots (MMP), the Marine Engineers (NMEB), and the Seamen (SIU), with the issuance of an emergency board's report on December 10, 1960.

After rejecting the board's recommendations, the unions struck from January 1 to January 23, 1961. On the latter date, the parties settled all issues, except those relating to manning. A decision on this issue was deferred until a railroad commission could be created and its report released. By Executive Order 10929, the President established the Railroad Marine Commission on March 24, 1961. The Commission released its report on June 11, 1962; the unions rejected its recommendations.

In addition, the Railroad Lighter Captains Commission was created by Executive Order No. 10948 on June 12, 1961, to decide a controversy between the Longshoremen (ILA) and the New York Harbor Carriers Conference Committee. It, too, proceeded from an emergency dispute, one precipitated on September 31, 1959, by the serving of demands relating to the manning of lighters. The parties negotiated over a 5-month period, the last conference being held on September 29, 1960. On that day, the carriers invoked mediation. When mediation failed to resolve the controversy and arbitration was rejected, the President appointed a panel on January 21, 1961. Shortly after the board made public its recommendations, the parties entered into an agreement on the issues in dispute, but held the issue of the manning of lighters in abeyance pending the report of a lighter captains' commission pursuant to the recommendations of Emergency Board No. 134. On June 12, 1961, the Commission was created by Executive Order 10948. The Commission released its report, which was not accepted by the unions, on July 11, 1962.

<sup>76</sup> *Report to the President by Emergency Board No. 176* (U.S. National Mediation Board, Nov. 2, 1969), p. 5.

## Presidential seizures

To maintain the operation of key industries, because of anticipated or actual work stoppages, Presidential seizures of production and distribution facilities have occurred at various times in the United States. Only four Presidents (Lincoln, Wilson, Franklin D. Roosevelt, and Truman) have utilized this form of government intervention. Of this total of 71 seizures, 12 involved railroads, the first occurring at the Philadelphia and Reading Railroad in 1864, and the last at the Newburg and South Shore Railroad (a subsidiary of U.S. Steel) in 1951. During the period under study, President Truman seized the Chicago, Rock Island, and Pacific Railroad on July 8, 1950, when the Switchmen (SUNA) rejected Emergency Board No. 83's recommendations and struck the above railroad and four other carriers; a temporary injunction was secured to insure continued operation of these carriers. Fifty days later, President Truman seized 194 major railroad carriers involved in Emergency Board No. 81, after the Trainmen (BRT) and the Conductors (ORC) announced that they would withdraw from the services of the railroads associated with the Eastern, Western, and Southeastern Carriers Conference Committees. On May 23, 1952, when these three organizations reached agreements with the Nation's major carriers, the President relinquished control over the railroads.<sup>77</sup>

## Other forms of intervention

Presidents have also intervened in railroad emergency disputes by offering their "good offices" to help resolve the parties' divergent interests. Although a compendium of such activity was not made, Presidential intervention was observed in more than 12 emergency boards. For example, following the seizure on August 27, 1950, of most of the Nation's carriers involved in the 40-hour week movement of early 1950, conferences between representatives of two operating unions (the Trainmen and Conductors), the carriers, the NMB, and the President were held in Washington. On November 2, 1951, the Engineers and Firemen (BLFE) joined the parties in

<sup>77</sup> John Blackman, *Presidential Seizures in Labor Disputes*, Cambridge, Mass.: Harvard University (1969), pp. 3, 4, 257-8.

Because of these seizures, the carriers participating in the deliberations of Emergency Board Nos. 95, 97 and 98 were under Federal control at the time of the boards' appointments.

negotiations conducted at the White House. Seven weeks later a tentative agreement was signed at the White House by the parties, but subsequently the unions' general committees rejected the accord. On January 18, 1951, conferences resumed at the White House, were later broken off, and continued again in April 1952. On May 25, 1952, the parties settled all issues in dispute.

## Major interruptions

The "proliferation" of "Section 10" procedures (establishment of emergency boards) was also aggravated by the appointment of boards in situations which may not have resulted in major interruptions of interstate commerce. Such excessive use of emergency procedures was deplored by the NMB in its 1953 Report:

It is the feeling of the Board that this procedure (emergency boards) should be reserved for cases that threaten major interruptions to interstate commerce, and that disputes which are of lesser importance, or which may affect interstate commerce to a lesser degree, should be disposed of through the other adjustment procedures in the Act.<sup>78</sup>

Under section 10, the precondition to establish an emergency board is the existence of a dispute which "threaten(s) substantially to interrupt interstate commerce to a degree such as to deprive any section of essential transportation service . . ." Despite the relatively clear intention of section 10 and the supporting NMB statement, the NMB has at times recommended the establishment of emergency panels in cases that were concerned solely with small and localized carriers or those that could not possibly threaten commerce to the extent required by law because their lines were sufficiently paralleled by other railroads.

## Identical issues on separate carriers

Another type of questionable use of the act's "Section 10" procedure related to the appointment of emergency boards to investigate controversies involving identical issues on separate railroads. For example, on September 1, 1961, 11 cooperating railroad labor organizations representing nonoperating

<sup>78</sup> *Nineteenth Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1953* (U.S. National Mediation Board, 1954), p. 23.

employees issued "Section 6" notices, dealing primarily with wage demands, on the Nation's major carriers, who quickly served identical counter proposals on the unions. After negotiations and mediation (which was requested by the unions on October 10, 1961) proved unsuccessful, arbitration was proffered by the Board on February 2, 1962, and was declined by the unions. The NMB notified the President on February 27, 1962, that an imminent national emergency dispute existed, and he, in turn, created an emergency board on March 3, 1962, to consider the controversy.

Meanwhile, the Florida East Coast Railway (FEC) informed the organizations on February 9, 1962, that it was no longer actively participating in the national movement. After the FEC refused to be a signatory to the national agreement, which was signed on June 5, 1962, the unions requested the mediatory services of the NMB (on July 20, 1962). An impasse in mediation, which was initiated on August 15, 1962, was quickly reached. On September 25, 1962, the Board proffered arbitration, which was declined by both parties.

In November, FEC requested that the NMB notify the President of an imminent emergency dispute. The Board, in turn, formally notified the carrier:

. . . The issues in this dispute are the same as

were fully and adequately heard by Presidential Emergency Board No. 145 . . . The Railway Labor Act never contemplated that . . . Boards would be created to consider identical issues arising on separate railroads. To proceed in that manner would weaken or destroy the effectiveness of the Act."

On the same day the unions conducted a work stoppage, and FEC began to hire permanent replacements which enabled the carrier to restore the major portion of its freight operations by late summer of 1963. The President, nevertheless, ordered an inquiry to determine the possible effects of the work stoppage on defense and space programs. After conducting hearings, the Board of Inquiry claimed that "this labor dispute is currently and potentially detrimental to our Nation's defense and space efforts."<sup>80</sup> When negotiations, mediation, and arbitration again proved unsuccessful, the NMB notified the President on November 4, 1963, that the dispute remained unadjusted and threatened to deprive a section of the country of essential transportation services. Five days later, the President appointed a board to investigate and report on the controversy.

<sup>79</sup> *Report to the President by Emergency Board No. 157* (U.S. National Mediation Board, Dec. 23, 1963), p. 3.

<sup>80</sup> *Ibid.*, p. 5.

## Chapter VI. Characteristics of Emergency Boards, 1950-69

### Participation

The incidence of emergency board participation by operating and nonoperating groups was quite distinct; both groups were the sole principals in 35 instances each and they were involved jointly in one case. (See table 4 and appendix table A-4). In the 1950's, the operating unions participated in 22 panels—15 of these between 1950 and 1952—many dealing with either grievances or the introduction of and conversion to the 40-hour week. In this same decade, the nonoperating groups were involved in 14 boards; five were appointed between September 1955 and August 1957, the remaining nine scattered throughout this decade. On the other hand, nonoperating groups were involved in 22 boards in the 1960's, 18 of which were established between May 1960 and August 1964. During the same decade, the operating crafts participated in 14 emergency disputes and were active in all the boards created between September 1964 and January 1969 which were concerned with crew size and job security.

Unlike the incidence of participation by major groups, the involvement of various national unions was quite irregular and depended on the crafts the

unions represented and the type(s) of bargaining they conducted (e.g., on their own or allied with others). Some unions, particularly those representing operating employees and shopcraft workers, participated frequently. The other nonoperating unions generally were involved more infrequently.

### Size

Under the provisions of the act, an emergency board may be appointed if, in the opinion of the President, a dispute "threaten(s) to substantially interrupt interstate commerce." By definition then, the establishment of these panels inherently depends on the size and routes of the carriers, the size and essentiality of the crafts involved in the dispute, and the effects of a work stoppage, the last being the decisive factor. One indication of size, and thus potential impact of a strike or lockout, is the number of principals involved in any dispute.

Only 30 emergency disputes involved single-units, that is, controversies between only one carrier and one union. (See table 4.) Of the 30 panels, 18 were convened to hear and decide cases involving operating employees and 12 for nonoperating workers.

**Table 4. Railroad emergency boards, by size and major group, selected periods, 1950-69**

| Period  | All boards | Single-unit boards  |                        | Total multi-unit boards |                        | Multi-union boards <sup>1</sup> |                        | Multicarrier boards <sup>1</sup> |                        | "Pure" multi-unit boards <sup>1,2</sup> |                        |
|---------|------------|---------------------|------------------------|-------------------------|------------------------|---------------------------------|------------------------|----------------------------------|------------------------|---|------------------------|
|         |            | Operating employees | Nonoperating employees | Operating employees     | Nonoperating employees | Operating employees             | Nonoperating employees | Operating employees              | Nonoperating employees | Operating employees                     | Nonoperating employees |
| 1950-69 | 71         | 18                  | 12                     | <sup>1</sup> 18         | <sup>2</sup> 24        | <sup>1</sup> 8                  | <sup>1</sup> 15        | 14                               | 21                     | 4                                       | 12                     |
| 1950-54 | 24         | 9                   | 4                      | 7                       | 4                      | 5                               | 3                      | 4                                | 4                      | 2                                       | 3                      |
| 1955-59 | 12         | 3                   | 3                      | 3                       | 3                      | —                               | 1                      | 3                                | 3                      | —                                       | 1                      |
| 1960-64 | 23         | 4                   | 5                      | 3                       | 11                     | 1                               | 6                      | 3                                | 9                      | 1                                       | 4                      |
| 1965-69 | 12         | 2                   | —                      | <sup>2</sup> 5          | <sup>2</sup> 6         | <sup>2</sup> 2                  | <sup>2</sup> 5         | 4                                | 5                      | 1                                       | 4                      |

<sup>1</sup> Double counting enters here, i.e., the number of multiunion boards includes those panels which involved a single carrier and more than one union and panels in which both more than one union and more than one carrier participated; similarly for multicarrier boards. Obviously, then, only six multiunit boards were characterized as having only more than one union; and 19, as having only more than one carrier.

<sup>2</sup> "Pure" multiunit boards refer to those involving both more than one carrier and more than one union.

<sup>2</sup> Both operating and nonoperating employees were involved in Emergency Board No. 170.

NOTE: Dashes denote zeros.

SOURCE: National Mediation Board data.

Perhaps this differing rate of participation reflected the operating crafts' commanding position when withdrawing their labor services.

Not surprisingly, the unions whose members' skills were more essential to the continued operation of railways and auxiliary facilities were active parties in most of the single-unit panels. Employees represented by the Trainmen (BRT) were associated with nine of these emergency disputes; the Conductors' (ORCB) members on five occasions; the Engineers' (BLE), four times; and the Clerks' (BRASC), twice. Similarly, railroads involved in the "Section 10" procedures were more often than not carriers with extensive passenger operations (e.g., the Long Island Railroad's participation in Emergency Board Nos. 129 and 173), with routes that are not extensively paralleled by many other carriers (e.g., Atchison, Topeka and Santa Fe Railroad's involvement in Emergency Board Nos. 126 and 165), or with unusual operations necessary, but somewhat adjunctive, to the operations of the Nation's rail facilities (e.g., REA's participation in Emergency Board Nos. 93, 105, 111, 117 and 153 and the Pullman Co.'s in Emergency Board Nos. 89, 96 and 107).

Another prominent finding was that over time fewer and fewer boards were appointed, in relative terms, to investigate and report single-unit emergency disputes. (See table 4.) During the 1950's, 19 such panels were convened, 13 in the first half of the decade. Of these 19 boards, 12 were appointed to consider emergency disputes involving operating crafts. Presidents intervened 11 times to adjust emergency rail disputes in the 1960's, only twice in the 1965-69 period. Of the 11 panels, six were convened to decide cases in which operating employees participated.

On the other hand, Presidents intervened in multiunit disputes (i.e., those involving more than one union or more than one carrier) on 41 occasions, 22 in which more than one union participated, 35 in which more than one carrier was involved, and 16 in which more than one union and more than one railway participated ("pure" multiunit panels), as shown in table 4.<sup>81</sup> Interestingly nonoperating groups participated in 12 "pure" multiunit cases, primarily because some of the unions representing nonoperating employees "progressed" (conducted) wage and rule movements jointly. A division of panels by major groups revealed that operating crafts participated in 18 multiunit boards and nonoperating crafts in 24, one of which (Emergency Board No. 170) involved both major groups.

Because of the predominance of industrywide movements, the nature of bargaining apparently explained the higher incidence of nonoperating employees' unions in the multiunit boards. Throughout most of the two decades under study—until 1964—11 railroad organizations representing the vast majority of nonoperating employees jointly initiated and progressed uniform industrywide wage and rule movements.<sup>82</sup> On the other hand, the five operating unions generally dealt with wage and rule movements in the same manner, but separately.

<sup>81</sup> Double counting enters here, i.e., the number of multiunion boards includes those panels which involved a single carrier and more than one union and panels in which both more than one union and more than one carrier participated, similarly for multicarrier boards. Obviously, then, only six multiunit boards were characterized as *only* having more than one union; and 19, as *only* having more than one carrier.

<sup>82</sup> The 11 included the shop craft, maintenance of way, signal, clerical, and communications employees' unions.

**Table 5. National railroad emergency boards, by major issue and group, selected periods, 1950-69**

| Period        | All emergency boards | Total national | National emergency boards |                        |                     |                        |                                      |                        |                     |                        |
|---------------|----------------------|----------------|---------------------------|------------------------|---------------------|------------------------|--------------------------------------|------------------------|---------------------|------------------------|
|               |                      |                | Major issue               |                        |                     |                        |                                      |                        |                     |                        |
|               |                      |                | Wages                     |                        | Rules               |                        | Wages, rules, and working conditions |                        | Wages and rules     |                        |
|               |                      |                | Operating employees       | Nonoperating employees | Operating employees | Nonoperating employees | Operating employees                  | Nonoperating employees | Operating employees | Nonoperating employees |
| 1950-69 ----- | 71                   | 23             | 3                         | 5                      | 1                   | 2                      | 1                                    | 1                      | 4                   | 6                      |
| 1950-54 ----- | 24                   | 5              | —                         | —                      | —                   | 1                      | —                                    | 1                      | 2                   | 1                      |
| 1955-59 ----- | 12                   | 4              | 2                         | —                      | —                   | —                      | 1                                    | —                      | —                   | 1                      |
| 1960-64 ----- | 23                   | 6              | —                         | 3                      | 1                   | 1                      | —                                    | —                      | —                   | 1                      |
| 1965-69 ----- | 12                   | 8              | 1                         | 2                      | —                   | —                      | —                                    | —                      | 2                   | 3                      |

NOTE: Dashes denote zeros.

SOURCE: National Mediation Board data.

Of the disputes between one or more unions and the vast majority of class I line haul and switching and terminal companies (associated with the Eastern, Western and Southeastern Carriers Conference Committees before 1963 and the National Railway Labor Conference since 1963), 23 were national in scope. (See table 5.) Of these 23 boards, 14 were convened to decide cases that involved nonoperating employees, often involving wages (five times) or wage and rule proposals (six times). Similarly, of the nine operating employees' national emergency cases, seven dealt primarily with demands for changes in wages (three times) or wages and rules (four times), as shown in table 5.

During the 1960's, 14 boards, eight since 1964, were appointed to consider unsettled mediation disputes that were national in scope; the remaining nine panels were created between 1950 and 1959. This and previously mentioned observations indicated that the "Section 10" procedure has been reserved principally in recent years for disputes that threatened major interruptions to interstate commerce and that controversies of lesser importance were relegated to other adjustment machinery provided by the act. Although the nature of the controversy and structure of bargaining were undoubtedly important factors, it appeared that the NMB became more selective in certifying an unadjusted dispute as a "national emergency."

## Issues

Major issues were almost evenly divided between rules (16 cases) and wages (18), both issues jointly (wages and rules) coming before emergency boards 23 times. (See table 6.) Considering the prime is-

ues in dispute, the operating crafts were more concerned with rules (10 cases) and wages and rules (11), while nonoperating employees' cases were more inclined toward wages (12) and wages and rules (13). All eight boards dealing with grievances or time claims) were processed by operating employees' associations.

## Duration

Another important characteristic of the emergency board procedure was the disparity in duration, defined as the time span from the serving of a "Section 6" notice to 30 days after the release of an emergency board's report. (See appendix table A-5.) With an array ranging from 170 days (Emergency Board No. 105, which dealt with adjusting wages) to 3,314 days (Emergency Board No. 165, which involved rule changes), the average duration of all emergency boards was 670 days. (See table 7.) An appreciable upward trend over time in the average duration of the four subperiods was observable.

This phenomenon was explained by the number of prolonged emergency board procedures, those whose duration exceeded 1,000 calendar days. Twelve in number, all the boards experiencing extended duration were confined to the 1960's (nine of them between 1960 and 1964) and to the issues of rules (8 times), wages and rules (3 times), and rules and working conditions (once). Of these 12 panels, the operating employees accounted for seven, all dealing with rules (four cases) and rules and wages (three cases); nonoperating employees were involved in the remaining boards, four of which concerned rules and one of which dealt with rules and wages.

**Table 6. Railroad emergency boards, by detailed issue and group, selected periods, 1950-69**

| Issue                                | 1950-54             |                        | 1955-59             |                        | 1960-64             |                        | 1965-69             |                        | Total, 1950-69      |                        |            |
|--------------------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|------------|
|                                      | Operating employees | Nonoperating employees | All crafts |
| Totals                               | 16                  | 8                      | 6                   | 6                      | 7                   | 16                     | 17                  | 16                     | 136                 | 136                    | 71         |
| Grievances                           | 8                   | —                      | —                   | —                      | —                   | —                      | —                   | —                      | 8                   | —                      | 8          |
| Rules                                | 3                   | 1                      | 2                   | —                      | 3                   | 5                      | 2                   | —                      | 10                  | 6                      | 16         |
| Wages                                | 2                   | 3                      | 2                   | —                      | 1                   | 7                      | 1                   | 2                      | 6                   | 12                     | 18         |
| Wages and rules                      | 3                   | 3                      | 1                   | 3                      | 3                   | 3                      | 14                  | 14                     | 11                  | 13                     | 23         |
| Wages, rules, and working conditions | —                   | 1                      | 1                   | 3                      | —                   | —                      | —                   | —                      | 1                   | 4                      | 5          |
| Rules and working conditions         | —                   | —                      | —                   | —                      | —                   | 1                      | —                   | —                      | —                   | 1                      | 1          |

<sup>1</sup> Includes one wage and rule board in which both major groups participated.

NOTE: Dashes denote zeros.

SOURCE: National Mediation Board data.

**Table 7. Duration of railroad emergency boards, by major work group and spans,<sup>1</sup> selected periods, 1950-69**

| Period                  | Emergency board spans in calendar days |                                       |                |          |               |          |           |          |             |          |        |          |                |          |
|-------------------------|--|---------------------------------------|----------------|----------|---------------|----------|-----------|----------|-------------|----------|--------|----------|----------------|----------|
|                         | Operating crafts, average duration     | Nonoperating crafts, average duration | All crafts     |          |               |          |           |          |             |          |        |          |                |          |
|                         |  |                                       | Total duration |          | Negotiation I |          | Mediation |          | Recognition |          | Agency |          | Negotiation II |          |
|                         | Number of days                         | Number of days                        | Number of days | Per cent | Number        | Per cent | Number    | Per cent | Number      | Per cent | Number | Per cent | Number         | Per cent |
| 1950-54 -----           | 441                                    | 418                                   | 429            | 100.0    | 228           | 53.1     | 75        | 17.5     | 37          | 8.6      | 89     | 20.7     | 158            | (*)      |
| 1955-59 -----           | 460                                    | 384                                   | 422            | 100.0    | 212           | 50.2     | 89        | 21.1     | 41          | 9.7      | 81     | 19.2     | 55             | (*)      |
| 1960-64 -----           | 951                                    | 822                                   | 861            | 100.0    | 351           | 40.8     | 254       | 29.5     | 148         | 17.2     | 106    | 12.2     | 116            | (*)      |
| 1965-69 -----           | 1,113                                  | 518                                   | 874            | 100.0    | 291           | 33.3     | 275       | 31.5     | 229         | 26.2     | 84     | 9.6      | 60             | (*)      |
| <b>Average—1950-69:</b> |  |                                       |                |          |               |          |           |          |             |          |        |          |                |          |
| All crafts -----        | (*)                                    | (*)                                   | 670            | 100.0    | 278           | 41.5     | 184       | 27.5     | 115         | 17.2     | 93     | 13.9     | 99             | (*)      |
| Operating -----         | (*)                                    | (*)                                   | 741            | 100.0    | 318           | 42.9     | 189       | 25.5     | 141         | 19.0     | 93     | 12.6     | 130            | (*)      |
| Nonoperating -----      | (*)                                    | (*)                                   | 609            | 100.0    | 252           | 41.4     | 174       | 28.6     | 92          | 15.1     | 92     | 15.1     | 71             | (*)      |

<sup>1</sup> Average number of calendar days of the total procedure or any span; each board is given equal weight regardless of size.

<sup>2</sup> Not included in duration figure for the total procedure.

<sup>3</sup> Not applicable.

NOTE: Because of rounding, sums of individual items may not equal totals.

SOURCE: National Mediation Board data.

Since the overall averages mask the movements occurring within the various segments of the total procedure, the RLA-emergency procedure was divided into five segments or spans as follows: negotiation I span, the time period between the issuance of a "Section 6" notice and the request for or proffer of the mediatory assistance of the Board (NMB); mediation span, the period after the request for or proffer of mediation to the proffer of arbitration; recognition span, the time period following the proffer of arbitration to the creation of an emergency board; agency span, the period from the establishment of an emergency panel to 30 days after the rendering of its report; negotiation II span, the time period between the board's report and agreement between the parties.<sup>88</sup> (See tables 7 and 9.)

Counting calendar days, the negotiation I span in absolute terms has increased significantly over time, the mediation span has risen substantially, as has the recognition span, while the agency and negotiation II spans have fluctuated considerably. Comparing the particular spans to total duration in the four time periods, the negotiation I span has decreased significantly in relative terms; the mediation span has risen appreciably, while the recognition span has increased substantially, and the agency and negotiation spans have decreased substantially. (See table 7.)

What do the figures suggest? In absolute terms,

<sup>88</sup> Date of settlement can refer to the date of either tentative settlement, ratification, or award of arbitration.

the procedures generally became more time-consuming over the years, especially in the first 3 steps of the 5-step process—the duration of the last 2 steps decreasing in the second and fourth subperiods of time from the first and third, respectively. The increase in total duration suggests that the parties were integrating the emergency board procedure into their collective bargaining strategy and that government was taking a more direct and active role in these disputes. One contributory factor in the increased total duration—the growing length in the recognition period—may be a sign that the NMB was more closely scrutinizing "imminent work stoppages" rather than routinely notifying the President of "imminent work stoppages."

For the two decades, duration of the various parts of the entire procedure was arranged in both absolute and relative terms in the same sequence as the chronological order of the steps in the procedure, i.e., negotiation I span was the longest, followed in descending order by mediation, recognition, and agency spans. One interesting comparison between periods was the difference between negotiation I (278 days) and negotiation II spans (99). This may have indicated that genuine collective bargaining in these emergency disputes occurred only after the boards released their reports. Although this comparison is not proof positive, the implication is clear, especially in light of the small number of days in which the parties actually conferred across the bargaining table.

*Major issues and groups.* Another prominent characteristic of duration was its variation according to major issues. Cases involving rule issues were on the average much longer in duration than those dealing with rates of pay or wages and rules, 1,046 days compared with 480 days and 594 days, respectively. Although there were some exceptions, duration by major issue generally increased over time, as shown in table 8. Analyzing major issues by major group, rules cases and wage cases of nonoperating unions extended for longer periods on the average than those of operating unions. On the other hand, combined wage and rule boards were substantially more prolonged on the average for operating workers than for nonoperating employees.

For the entire period 1950-69 and all subperiods, emergency boards appointed to consider operating unions' disputes were considerably longer than those for nonoperating organizations, 741 days vs. 609 days. (See table 9.) The 132-day difference probably reflected the large number of operating employees' rule boards, and wage and rule boards, relative to the total number of "Section 10" procedures

in which these operating crafts participated.<sup>84</sup> Likewise, the various steps in the emergency procedure for the operating unions were more prolonged than for the nonoperating associations; and the duration of these various spans in both groups' procedure was ordered in the same direction as the chronological sequence of the steps in the procedure.

### National cases

An important question concerning duration was the effect of national cases upon the various measurements. *A priori*, the expectation was that nationwide disputes, because of the numerous and complex issues and the large number of participants, would probably have significantly inflated the average length of emergency boards. However, actual investigation generally revealed the opposite to be true, as shown in table 10.

Apparently, the national boards' average duration

<sup>84</sup> Eight grievance cases were excluded because some of the steps in the emergency procedures were skipped.

**Table 8. Number and average duration of railroad emergency boards (in calendar days), by major issue and group, selected periods, 1950-69**

| Period       | Wages  |                  | Rules  |                  | Wages and rules |                  | Wages, rules, and working conditions |                  |
|--------------|--------|------------------|--------|------------------|-----------------|------------------|--------------------------------------|------------------|
|              | Number | Average duration | Number | Average duration | Number          | Average duration | Number                               | Average duration |
| 1950-54      | 5      | 302              | 4      | 368              | 6               | 583              | 1                                    | 389              |
| 1955-59      | 2      | 498              | 2      | 580              | 4               | 296              | 4                                    | 432              |
| 1960-64      | 8      | 585              | 8      | 1,199            | 6               | 745              | —                                    | —                |
| 1965-69      | 3      | 484              | 2      | 2,258            | 7               | 645              | —                                    | —                |
| 1950-69:     |        |                  |        |                  |                 |                  |                                      |                  |
| All crafts   | 18     | 480              | 16     | 1,046            | 23              | 594              | 5                                    | 423              |
| Operating    | 6      | 463              | 10     | 986              | <sup>1</sup> 11 | 698              | 1                                    | 425              |
| Nonoperating | 12     | 488              | 6      | 1,148            | <sup>1</sup> 13 | 492              | 4                                    | 423              |

<sup>1</sup> Both major groups participated in Emergency Board No. 170.

SOURCE: National Mediation Board data.

NOTE: Dashes denote zeros.

**Table 9. Railroad emergency spans, (in calendar days), by major group, selected periods, 1950-69**

| Period  | Average total duration |                        | Average duration of spans |                        |                     |                        |                     |                        |                     |                        |                             |                        |
|---------|------------------------|------------------------|---------------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|-----------------------------|------------------------|
|         |                        |                        | Negotiations I            |                        | Mediation           |                        | Recognition         |                        | Agency              |                        | Negotiation II <sup>1</sup> |                        |
|         | Operating employees    | Nonoperating employees | Operating employees       | Nonoperating employees | Operating employees | Nonoperating employees | Operating employees | Nonoperating employees | Operating employees | Nonoperating employees | Operating employees         | Nonoperating employees |
| 1950-69 | 741                    | 609                    | 318                       | 252                    | 189                 | 174                    | 141                 | 92                     | 93                  | 92                     | 130                         | 71                     |
| 1950-54 | 441                    | 418                    | 195                       | 261                    | 97                  | 54                     | 63                  | 10                     | 86                  | 92                     | 180                         | 126                    |
| 1955-59 | 460                    | 384                    | 231                       | 194                    | 90                  | 88                     | 51                  | 32                     | <sup>1</sup> 91     | 72                     | 46                          | 67                     |
| 1960-65 | 951                    | 822                    | 533                       | 271                    | 222                 | 269                    | 69                  | 182                    | <sup>1</sup> 10     | 103                    | 243 <sup>2</sup>            | 57                     |
| 1965-69 | 1,113                  | 518                    | 316                       | 249                    | 344                 | 169                    | 379                 | 18                     | <sup>1</sup> 81     | 82                     | 43                          | 74                     |

<sup>1</sup> Not included in duration figure for total procedure.

SOURCE: National Mediation Board data.

<sup>2</sup> Because this table excludes a few agency spans in this period, the sums of individual spans do not equal the total.

<sup>3</sup> Because this table excludes a few negotiation II spans in this period, the sums of individual spans do not equal the total.

for the negotiation I and II spans did not seemingly reflect the inherent bargaining nature of industrywide cases. It was anticipated that in national cases the negotiation I span would be significantly longer than in nonnational cases, because bargaining would commence on local properties and be followed by the creation of national committees to negotiate industrywide contracts. In a similar vein, it was expected that the national boards' average duration for the negotiation II span (compared with the nonnationals') would be appreciably shorter, mirroring immediate and strong pressures to conclude settlements of unadjusted controversies that could possibly halt the operations of the Nation's railroad system.

On the other hand, the anticipation of the direction and volume of some spans was substantiated. The longer agency span was probably a consequence of the large number of witnesses and voluminous statements and exhibits introduced into the record; the shorter recognition span apparently demonstrated that the unadjusted disputes emanating from national wage and rule movements were easier to determine and to certify as imminent national emergency disputes. From the information available, it was not possible to ascertain or to hypothesize on the significantly smaller mediation span.

### Reasons for the long duration

The long average duration of the railroad boards was primarily the result of three factors.

*Mediation spans.* First, under the provisions of the act, no time limitations were placed on mediation. Defined as the time span between the request for or proffer of mediation and the proffer of arbitration,<sup>85</sup> the average duration of mediation activities was 184 days, the longest period covering 1118 calendar days. For example, the Telegraphers (ORT), whose

<sup>85</sup> This is somewhat of an 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 in the act.

**Table 10. National and nonnational emergency board spans, selected periods, 1950-69**

| Size              | Total | Negotiation I | Duration in days for |             |        |                |
|-------------------|-------|---------------|----------------------|-------------|--------|----------------|
|                   |       |               | Mediation            | Recognition | Agency | Negotiation II |
| All cases ..      | 670   | 278           | 184                  | 115         | 93     | 99             |
| National .....    | 595   | 263           | 153                  | 80          | 101    | 99             |
| Nonnational ..... | 714   | 287           | 204                  | 136         | 88     | 99             |

SOURCE: National Mediation Board data.

dispute was heard by Emergency Board No. 148, requested the mediatory assistance of the NMB on June 2, 1958, to aid in adjusting a rules dispute with the New York Central Railroad; mediation began 8 1/2 months later. On January 25, 1962, arbitration was proffered by the Board. In the second part of that dispute, which involved the Pittsburg and Lake Erie Railroad, the organization petitioned the NMB on August 7, 1959; mediation sessions commenced on December 8, 1959; and the Board proffered arbitration on January 25, 1962.

At various times, the parties, especially the unions, have castigated the Board for what they considered to be "unnecessary" and "arbitrary" delays in the mediation proceedings. On June 1, 1962, the Teamsters even resorted to filing a civil action complaint (No. 1747-62) for declaratory judgment and a mandatory injunction against the Board asserting that the "Plaintiffs (Teamsters) are adversely affected and aggrieved by the unnecessary delay on the part of the NMB and have been adversely affected by the Board's arbitrary and capricious refusal to mediate the . . . dispute . . . By recessing cases A-6671 and A-6696 . . . (the Board) has failed to use its best efforts, by mediation, to bring the parties to agreement, as required by the RLA." What the union did not publicly acknowledge though was that "there (was) no question that in this dispute the parties made no more than nominal efforts to compose their differences."<sup>86</sup> Nor did the unions acknowledge that only one collective bargaining dispute in the two decades preceding this controversy was settled without exhausting all the steps in the RLA-emergency procedures, a situation that raised "the fundamental question whether the parties . . . (were) negotiating their differences in accordance with traditional free collective bargaining principles or in the manner or spirit contemplated in the Railway Labor Act."<sup>87</sup>

Beside the Board's problem of coordinating its available manpower resources with its needs, the parties to the disputes were also often unable to synchronize the accessibility of each of their bargaining representatives. This problem of manpower coordination was especially evident in national cases in which representatives of the three Carriers Conference Committees (or the National Railway Labor Conference) and representatives of the national (or international) unions had jointly to decide on hearing dates, when both labor and management might

<sup>86</sup> *Emergency Board Report No. 153*, op. cit., p. 4.

<sup>87</sup> *Ibid.*

have conflicts because of bargaining commitments with other parties.

With all these impediments, actual mediation days were usually a small proportion of the total mediation span. Over the 20-year period ending 1969, the average mediation span was 184 days; yet only 23 days, on the average, were devoted to mediatory activities. Significant differences were evident in the average number of actual mediation hearing days during the four subperiods; in chronological order they were 16, 30, 29, and 16 days. But more importantly, the relative time actually consumed by mediation hearings (the number of actual hearing days relative to the total mediation span) declined significantly over time: 23 percent, 34 percent, 11 percent, and 6 percent, chronologically.

*Agency span.* 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 the rendering of its report, the average duration of railroad emergency board hearings<sup>88</sup> was 63 days. The longest 1,154 days in Emergency Board No. 126, which was precipitated by the Engineers' (BLE) serving requests for wage and rule changes on the Atchison, Topeka and Santa Fe Railroad. Of the 23 prolonged board hearings (those requiring more than 60 days), nine were appointed to hear operating employees' disputes and 14 to decide those of nonoperating workers. The majority of these panels were concerned with wages and rules (nine cases), rules (seven), and wages (five).

Under the provisions of the bill as originally drafted, emergency panels were to investigate and make their reports within 30 days, regardless of the nature of the dispute.<sup>89</sup> Counsel for the railway unions, Donald R. Richberg, explained that the fixed time limit would compel the party that was more interested than the other in preserving the status quo, the party who was engaging in delaying action, to

<sup>88</sup> The duration of emergency board hearings plus 30 days, by definition, is identical with the agency span.

Eight boards (No. 80, 85, 104, 115, 141, 150, 165 and 171) were not included because formal emergency board reports were not issued.

<sup>89</sup> Enactors of the law, however, provided for more flexibility in the procedures, one more suitable to the nature of railroad disputes on a case-by-case basis.

confine its testimony and evidence to an "acceptable" level. One prominent carrier representative, echoing the desires of both parties, said that the "board is not going into a meticulous examination of the question; it is undoubtedly intended to reach its considerations on large questions (i.e., broad issues). Those matters do not require the summoning of witnesses and the taking of great volumes of testimony."<sup>90</sup>

Although early experience with the emergency board investigations and reports was favorable, most hearings and the writing of recommendations for the post-1949 panels were not completed in the 30 days stipulated in the original executive orders creating the boards. Excluding the eight emergency disputes for which no formal reports were issued, only 15 post-1949 boards (10 of which were appointed between 1950-54) concluded their hearings and issued their recommendations without extensions of time.

Actually both "parties have long shown a preference for lengthy, rather formal hearings, of a quasi-judicial nature, in which most witnesses read their testimony and in which mountains of exhibits containing data, some of current value and some of historic significance only are filed."<sup>91</sup> Counting actual hearing days, Emergency Board No. 154 extended for 96 days during which 15,306 pages of testimony and 20,319 pages of exhibits were introduced. Almost as "prolific" was Emergency Board No. 81, which exhausted 49 hearing days, in which 8,385 pages of testimony (49 volumes) and 143 exhibits were entered into the records. Besides boards being presented with numerous studies, charts, statements, and statistics, other factors contributed to the prolongation and thus extension of board hearings. Among these factors were the seriousness of the disputes and complexities of the issues, the utilization of the board's services in a mediation capacity, the preoccupation of the board with other disputes, the request for continuances or delay in the initiation of hearings, and other discontinuations in hearings.<sup>92</sup>

In an attempt to ease the hearings' problems, boards have at times instituted procedural rules. For example, Emergency Board Nos. 161-3 barred the

<sup>90</sup> 1926 House Hearings, op. cit., p. 154.

<sup>91</sup> Report to the President by Emergency Board No. 160 (U.S. National Mediation Board, Aug. 7, 1964), p. 2. Also see *Locomotive Firemen and Engineers Magazine*, Aug. 1955, p. 89. *Conductor & Brakeman*, Sept. 1955, p. 252.

<sup>92</sup> Emergency Board Nos. 84, 97, 134, 141, 147, 150, 155, 157, 160-63, and 173. See Emergency Board Nos. 129 (p. 2), 161-3 (p. 3), 138 (p. 1) and 139 (p. 1).

actual reading of testimony and exhibits by witnesses. Emergency Board No. 160 limited each party to seven days for presenting briefs and rebuttals (one day for oral arguments), stipulated that time expended in cross-examination was to be charged to the party cross-examining, encouraged the parties to "submit background or other noncontroversial evidence in exhibit form," and required 6 hours of hearings daily.

One other problem, lack of cooperation in hearings, was of sufficient significance to merit comment. During the Congressional hearings in 1926, the framers of the act felt that "it was absolutely inconceivable that either party would hesitate to furnish the Board all the information within its power that would help the presentation of its point of view."<sup>98</sup> In the event that either party failed to fulfill its responsibilities at once public opinion (would) condemn that party and a public opinion (would) be created in the right direction by that very refusal."<sup>94</sup> Yet union officials involved in six emergency boards refused to present evidence or to formally participate in board hearings.<sup>95</sup> One, in fact, "issued an anticipatory declaration critical of the Board's forthcoming findings of fact and recommendations, before either have been conceived or published."<sup>96</sup>

*The parties.* Third, as previously mentioned, the parties often contributed to the problem of duration by bringing issues before the NMB on which they had spent little time bargaining. Two auxiliary points, the first relating to the degree of skill and time needed by neutrals to digest rule proposals and the second to the ratification of tentative agreements by general committees and the rank-and-file, merit further attention.

As the NMB has publicly stated, "Expert knowledge and experience is required for proper consideration of proposals to change rules relating to work performance, and the most satisfactory results are obtained if the parties directly concerned, who are familiar with the technical aspects of the operation and elements of the dispute, work out settlements which they can understand and translate into everyday practice for the efficient operation of the particular facility involved."<sup>97</sup> Emergency boards, when presented with numerous technical and complicated

rule proposals and testimony which more often than not appear to confuse the issues, have reached the same conclusion. "No one has ever entertained even a captious doubt but that 'Railroad Rules' and 'Railroad Rules Changes' constitute one of the most technical, involved, and highly complex subjects in the entire baffling welter of industrial relations problems which from time to time are thrown into the lap of Emergency Boards for solutions."<sup>98</sup> Moreover, several boards have declined to decide on various technical rule proposals or counterdemands and have asserted that the issues may better be resolved by the parties directly.<sup>99</sup>

Union leaders involved in emergency boards have expressed doubts concerning the ability of the emergency board members to understand the complexities of pay, rules, and working conditions on the individual properties.<sup>100</sup> "I believe much of the failure of emergency board procedures over the past 5 years (1960-65) can be attributed to the personnel of those boards and not to the procedures as such . . . Men of experience should be chosen not people who have sat on just one or two emergency boards in the past 5 years, but men of long experience and great understanding of railway problems. Above all, they should have the time to discharge fully their obligations."<sup>101</sup> Some labor leaders also have castigated board members for "sidestepping" issues for which the boards recommended their removal because of the issues' technical nature.<sup>102</sup> Other union officials have based their rejections of boards' reports on the grounds that board members lack sufficient knowledge of the industry.<sup>103</sup>

According to the NMB, the parties themselves appear to have contributed to the impairment of the act's implementation by not granting their bargaining representatives sufficient authority to accept final contract terms a situation not unique to the railroad industry.<sup>104</sup> For example, after exhausting all the provisions of the RLA, the Switchmen (SUNA) and

<sup>98</sup> *Emergency Board Report No. 97*, op. cit., p. 31.

<sup>99</sup> *Report to the President by Emergency Board No. 89* (U.S. National Mediation Board, Nov. 3, 1950), pp. 8-9.

<sup>100</sup> L. W. Horning, Vice President of Personnel, New York Central Railroad, on Sept. 22, 1955.

<sup>101</sup> Eli L. Oliver "Procedures Under the Railway Labor Act", Discussion, *Eighteenth Annual Meeting of National Academy of Arbitrators*, 1965, pp. 51-52.

<sup>102</sup> *Labor*, Nov. 25, 1950, p. 3.

<sup>103</sup> *Emergency Board Report No. 97*, op. cit., p. 64.

<sup>104</sup> *Thirty-Fourth Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1968* (U.S. National Mediation Board, 1969), pp. 23-24.

<sup>94</sup> *1926 Senate Hearings*, op. cit., p. 85.

<sup>95</sup> *1926 House Hearings*, op. cit., p. 154.

<sup>96</sup> *Emergency Board Nos. 83, 93, 97, 110, 129 and 174*.

<sup>97</sup> *Emergency Board Report No. 97*, op. cit., p. 31.

<sup>98</sup> NMB, *Twenty-Fourth Annual Report*, op. cit., p. 4.

the Western Carriers Conference Committee in September 1960 tentatively reached an accord disposing of all issues in dispute (on terms recommended by Emergency Board No. 131), subject to ratification by the union's rank-and-file. Under the terms of the union's by-laws, if the majority of the membership rejected the recommendations of an emergency board, the International President was required to set a strike date. The NMB claimed that these "restrictions . . . placed on the representatives of the employees . . . (were) inconsistent with the provisions of the Railway Labor Act, defeat(ed) the purpose of the Act, and (made) its administration cumbersome and ineffective."<sup>105</sup> Ultimately, the dispute was settled without a stoppage, but the terms were in excess of the board's recommendations.

### Arbitration

As noted earlier, the act gives the NMB the option to suggest to the parties that they submit their dispute to arbitration, the next-to-last step available to agree to settle major disputes. As with other features of the law, the parties are not compelled to accept the proffer of arbitration; however, the law places a moral *obligation* on the parties to consider this method of resolving disputes after previous steps in the act have failed.

Between 1955 and 1969 (the only period for which detailed information was available), 2,999 railroad mediation cases were docketed and disposed of, 2,595 by means of mediation, by withdrawals, or by dismissals.<sup>106</sup> Of the 404 remaining cases, the parties refused to arbitrate 372 disputes, and agreed to do so in 32. During the period under study, (1950–69), mediation cases which eventually required the appointment of emergency boards were closed when carriers rejected arbitration in one case (1 percent of the total), unions in 53 (78 percent), and both parties in 14 (21 percent). In no case did both parties simultaneously agree to submit the dispute to arbitration. As early as 1941, a formal censure of the parties' tendency to decline proffers of arbitration was recorded by the NMB and was reiter-

<sup>105</sup> Letter from E. C. Thompson, Executive—Secretary of the National Mediation Board to William Rogers, Attorney General, on Sept. 14, 1960.

<sup>106</sup> A withdrawal refers to the action of the party which initially requested the mediatory service of the Board when the party retracts its application. A dismissal refers to the action of the Board when it dismisses the request for its service according to the conditions required under the act (RLA).

ated almost every year since then in the Board's *Annual Report*.

It was apparent from witnesses' testimony during the 1926 House hearings on the proposed railroad legislation that if disputes were not resolved in mediation the parties would be persuaded to settle them by means of arbitration and if disputes were assigned to emergency panels the party who declined the Board's proffer of arbitration would have "to make good before the emergency board."<sup>107</sup> At various times, the recalcitrant parties offered reasons for rejecting arbitration. For instance, unions involved in Emergency Board No. 81 deliberations claimed, "We do not believe that arbitration should be substituted for bonafide collective bargaining in a case such as this."<sup>108</sup> A high union official of the Engineers (BLE) explained their rejection of arbitration, "Most of the 282 cases are based on fundamental rules which are not arbitrable under our contract, for to arbitrate would in effect change certain rules without carrying out the provisions of the RLA."<sup>109</sup>

### Emergency board reports

The Railway Labor Act does not compel the parties to reach an accord; rather it places maximum reliance on self-determination by labor and management. While recognition of 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 would contribute to just and equitable settlements.<sup>110</sup>

On eight occasions, the NMB or the emergency boards functioned in a mediatory capacity and effected settlements between the parties without issuing formal reports.<sup>111</sup> In the vast majority of instances, however, recommendations for the resolution of the disputes were made by the boards. The framers of the act anticipated that both parties would be extremely reluctant to reject a report, unless it was "so inequitable as to be almost beyond the limits of human endurance."<sup>112</sup> However, actual results

<sup>107</sup> 1926 House Hearings, op. cit., pp. 102–3.

<sup>108</sup> Labor, Feb. 18, 1950, p. 1.

<sup>109</sup> Trainmen News, Oct. 3, 1949, p. 3.

<sup>110</sup> See 1926 House Hearings, op. cit., pp. 18–19. Also see 1926 Senate Hearings, op. cit., pp. 14–15, 25.

<sup>111</sup> Emergency Board Nos. 80, 85, 104, 115, 141, 150, 165, and 171.

<sup>112</sup> Emergency Board Report No. 97, op. cit., p. 65.

did not bear out these hopes. Of the 60 emergency board reports for which the parties' responses were ascertainable, the vast majority were rejected by one or both parties.<sup>113</sup> In fact, labor and management initially accepted the boards' specific recommendations only on six occasions, four times in the 1950's.<sup>114</sup> Of the six, four affirmative responses were registered by operating groups involved twice in wage and rule cases (Emergency Board Nos. 107 and 126) and once each in a wage case (Emergency Board No. 82) and in a rule case (Emergency Board No. 172). The only two nonoperating groups' acceptances involved the REA, once in a wage dispute (Emergency Board No. 105) and once in a wage and rule controversy (Emergency Board No. 107).

Although the carriers generally accepted "adverse" as well as favorable reports, the unions consistently rejected "adverse" recommendations. National Mediation Board and other official records indicated that on 48 occasions railroad unions partially or totally repudiated the boards' reports. Operating employees' organizations accounted for 22 negative responses and nonoperating workers' for 27.<sup>115</sup> In four instances, all involving nonoperating crafts, railway carriers responded negatively. Of the four boards, three were convened between 1950 and 1954 to consider cases national in scope. On two occasions, one involving the Firemen and Engineers (BLFE) in a wage case with the Nation's railroads and the other involving the Telegraphers (ORT) in a rules' case with Southern Pacific, both parties declined to accept boards recommendations.

Thus, the pressure of public opinion was not adequate to force the parties to accept the boards' recommendations, nor was voluntary compliance common. As early as 1951, the NMB recognized the increasing predisposition of unions to reject emergency board recommendations. To explain this tendency, the NMB argued that the complicated and technical issues precipitating these disputes were given little publicity, and beyond that, they were somewhat incomprehensible to the public.<sup>116</sup>

Some extenuating circumstances relating to the boards' directions and approaches may also have contributed to this high rejection rate. Some union

<sup>113</sup> The 111 for which responses were not ascertained boards included the 8 mentioned in footnote 111 plus Emergency Board Nos. 77, 86, 93.

<sup>114</sup> Emergency Board Nos. 82, 105, 107, 111, 126, and 172.

<sup>115</sup> One case (Board No. 170) involved both major groups.

<sup>116</sup> *Seventeenth Annual Report of the National Mediation Board, For the Fiscal Year Ended June 30, 1951* (U.S. National Mediation Board, 1952), p. 33.

leaders have adopted the position that this "final" step in the emergency process is just an administrative action to delay the application of economic power, that "the report is not final and binding" (and thus is not a "matter of acceptance or rejection")<sup>117</sup>

Under the original conception of the bill, a board's direction and tone was to be mediatory, rather than legalistic:

. . . We are seeking to avoid what we regard as the fundamental error in the creation of the Railway Labor Board, and that was creating a public body which thinks its duty is to sit behind the table and hear the parties as witnesses in court and thereby continue the intensity of the controversy. We want this emergency board to take the power of a final board of mediation and try to bring an agreement. We do not want a dispute presented to the public in order that public opinion may castigate one party or the other, if we can get an agreement.<sup>118</sup> Nor did the framers of the act anticipate that the boards would formally adjudicate disputes and issue intricate and detailed recommendations. It was expected that the panels would be lay boards and would not have the "capacity to decide a great dispute. If it is a problem of simple elements, they may be able to work it out, or else, if not simple, work out a method of solution for a complicated problem."<sup>119</sup>

Very early experience during the two decades under study was more favorable to the release of reports in which methods rather than detailed terms of settlement were suggested, especially in grievance cases. For instance, Emergency Board No. 79 concluded "that the issues here involved may be and should be resolved within the provisions of the Railway Labor Act."<sup>120</sup> In its report to the President on July 6, 1950, Emergency Board No. 86 recommended that the issues in the dispute be processed through the normal channels of the act, either the grievance machinery or the issuance of a "Section 6" notice.

Overall though, boards primarily have devoted their energy and time to fact-finding, not mediation, and have attempted to adjudicate disputes by promulgating detailed recommendations, rather than

<sup>117</sup> Letter from Mr. Val Simons, General Chairman of the ORCB, to Mr. L. W. Horning, Vice-President, Personnel, of the New York Central Railroad, on Sept. 22, 1955.

<sup>118</sup> *1926 Senate Hearings*, op. cit., p. 135 Also see pp. 83-84.

<sup>119</sup> *1926 House Hearings*, op. cit., pp. 101-02.

<sup>120</sup> *Report to the President by Emergency Board No. 79* (U.S. National Mediation Board, Feb. 28, 1950), p. 8.

suggesting methods of settlement. For example, the members of Emergency Board No. 175 recommended a wage increase of 3 1/2 percent effective July 1, 1968, 2 percent effective January 1, 1969, 3 percent effective July 1, 1969, a differential of 20 cents an hour for skilled employees, and the withdrawal of the employees' cost-of-living proposals and all other demands not treated in the recommendations. In its report to the President filed on November 5, 1964, Emergency Board No. 164 suggested a 9 cent an hour increase for firemen retroactive to January 15, 1964; an additional 9 cents effective January 1, 1965; \$1.75 increase retroactive to June 1, 1964 for engineers; a fourth week of vacation after 20 years; moratoriums on wages until January 1, 1966; and the withdrawal of all other demands not treated in the recommendations.

Although the majority of boards have not hesitated to produce specific recommendations, some emergency boards, on the other hand, have recognized that direct party solutions are preferable to third party solutions and that suggesting methods of resolving disputes are preferable to issuing detailed terms of settlement.<sup>121</sup> Notwithstanding, labor frequently has criticized boards for their purported legalistic approach and predisposition to recommend detailed terms of settlement:

The ineffectiveness of Emergency Board procedure does not stem from a stubborn determination on the part of labor leaders to consistently and arrogantly reject Board recommendations. In the past the leaders of labor have hopefully looked to Emergency Boards to provide them with a solution of their problems. That their hopes have not been fulfilled is not the fault of this side of the table. The fault we believe lies in large part with the detached attitude of Boards from the practicalities of the necessity to settle cases, from a determination to sit in the role of judge and law-giver to decide categorically whether a particular party is right or wrong, and in inability or unwillingness to seek a means of settlement of the dispute before them which would do justice to both sides and serve the public interest.<sup>122</sup>

In no case did the parties completely repudiate the emergency boards' recommendations in negotiations or reach settlements entirely outside of those suggested. At various times, the boards' recommendations served as a basis for eventual agreements without in-

<sup>121</sup> *Emergency Board Report No. 169*, op. cit., p. 5 (Also see *Emergency Board Report No. 130*, p. 2). This board did however recommend specific wage terms.

<sup>122</sup> *Emergency Board Report No. 97*, op. cit. p. 64.

terruptions of service. In the majority of cases, however, the boards' reports served as a floor from which to bargain for more favorable terms, usually after strike threats or executive intervention.

At other times, the parties materially changed the recommendations in their final agreements, such as in the settlement between the Teamsters (IBT) and the REA, in which the parties substituted increased wages and health and welfare benefits, as well as effective dates of the various improvements, for the board's recommendations.

Even when the boards were unsuccessful in completely 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 railroad services. For instance, in hearings before Emergency Board No. 173, more than seven issues were withdrawn by the parties. Similarly, in hearings before Emergency Board No. 111, certain proposals of Teamster Locals 459 and 808 were withdrawn.

### Methods of Settlement <sup>123</sup>

Over the 20-year period, few emergency board reports have served as a basis for quick settlement of railroad disputes. Fearing this very phenomenon, the counsel for the railway organizations warned:

They (the employees) have felt that the machinery of this act for conferences, for adjustment, for mediation, for arbitration, should provide for the orderly and peaceful adjustment of all differences that might arise in the railroads. They know that as long as additional machinery is held out, as long as another avenue of escape is open, stubborn negotiators are likely to hold out.<sup>124</sup>

Even after the emergency board's issuance of its report, the National Mediation Board generally has reentered the case, ready to assist the parties to reach a settlement by mediation or arbitration.

The principal method of settlement was ascertainable for 65 emergency board cases. Of these, 25 accords were reached by mediation agreements (M.A.) two by arbitration agreements (A.A.), and 41 by the parties themselves (party agreements in

<sup>123</sup> 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.

<sup>124</sup> *1926 House Hearings*, op. cit., p. 17.

**Table 11. Methods of settlement in railroad boards, by major issue and group, selected periods, 1950-69**

| Methods                                    | 1950-54             |                        | 1955-59             |                        | 1960-64             |                        | 1965-69             |                        | Total, 1950-69      |                        |
|--|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|
|  | Operating employees | Nonoperating employees |
| <b>Arbitration agreements:</b>             |                     |                        |                     |                        |                     |                        |                     |                        |                     |                        |
| Rules -----                                | —                   | —                      | —                   | —                      | 1                   | —                      | —                   | —                      | 1                   | —                      |
| Wages -----                                | —                   | —                      | —                   | —                      | —                   | —                      | —                   | 1                      | —                   | 1                      |
| <b>Mediation agreements:</b>               |                     |                        |                     |                        |                     |                        |                     |                        |                     |                        |
| Grievances -----                           | 1                   | —                      | —                   | —                      | —                   | —                      | —                   | —                      | 1                   | —                      |
| Rules -----                                | —                   | —                      | 1                   | —                      | 1                   | 3                      | 1                   | —                      | 3                   | 3                      |
| Wages -----                                | —                   | —                      | 2                   | —                      | —                   | 1                      | —                   | 1                      | 2                   | 2                      |
| Wages and rules -----                      | 1                   | 1                      | —                   | 1                      | 1                   | 1                      | 2                   | 3                      | 4                   | 6                      |
| Wages, rules, and working conditions ----- | —                   | —                      | 1                   | 2                      | —                   | —                      | —                   | —                      | 1                   | 2                      |
| Rules and working conditions -----         | —                   | —                      | —                   | —                      | —                   | 1                      | —                   | —                      | —                   | 1                      |
| <b>Party agreements:</b>                   |                     |                        |                     |                        |                     |                        |                     |                        |                     |                        |
| Grievances -----                           | 4                   | —                      | —                   | —                      | —                   | —                      | —                   | —                      | 4                   | —                      |
| Rules -----                                | 1                   | 1                      | 1                   | —                      | 1                   | 2                      | 1                   | —                      | 4                   | 3                      |
| Wages -----                                | 1                   | 3                      | —                   | —                      | 1                   | 5                      | 1                   | 1                      | 3                   | 9                      |
| Wages and rules -----                      | 3                   | 2                      | 1                   | 2                      | 2                   | 2                      | 2                   | 1                      | 8                   | 7                      |
| Wages, rules, and working conditions ----- | —                   | 1                      | —                   | 2                      | —                   | —                      | —                   | —                      | —                   | 3                      |

NOTE: Dashes denote zeros.

SOURCES: National Mediation Board, Bureau of Labor Statistics, and Presidential emergency board reports.

direct negotiations) (P.A.)<sup>125</sup> Operating workers organizations accounted for one of the arbitration agreements, which concerned rules. Of the 41 party agreements, 19 were signed by operating unions (12 dealing with rules and wages and rules) and 22 by nonoperating organizations (16 dealing with wages and wages and rules). All the party agreements dealing with grievances were reached by operating crafts, but the vast majority (75 percent) of the 12 wage agreements were signed by nonoperating crafts and 11 by operating employees, as shown in table 11. Although, as noted, most emergency board disputes were settled in direct negotiations, the parties increasingly turned to mediation and arbitration (in the 1960's), as shown in table 12.

**Disposition**

Of the 71 emergency board cases, eight 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.<sup>126</sup> Except for one (Emergency Board No. 141), these

<sup>125</sup> Disputes leading to three emergency boards were settled by more than one principal method, a P.A. and M.A. in the first and second instances (Nos. 118 and 174) and a P.A. and A.A. in the third (No. 169).

<sup>126</sup> Emergency Board Nos. 80, 85, 104, 115, 141, 150, 165, and 171.

boards involved only operating employees, concerned mainly with noneconomic demands (grievances, three times; rules and wages and rules, both twice). Five of these emergency disputes<sup>127</sup> were settled without a work stoppage, two with the mediatory assistance of the Board. Of the three remaining panels in which strikes occurred, all involved operating employees; Engineers (BLE) members twice, once in a 6-day stoppage before Emergency Board No. 115

<sup>127</sup> Emergency Board Nos. 80, 104, 141, 165, and 171.

**Table 12. Number and percentage of agreements resolved through arbitration, mediation, and direct negotiations, 1950-69**

| Type of agreement            | 1950-54 | 1955-59        | 1960-64 | 1965-69          | 1950-69 |
|------------------------------|---------|----------------|---------|------------------|---------|
| Number, total -----          | 19      | 13             | 22      | 14               | 68      |
| Arbitration agreements ----- | —       | —              | 1       | <sup>1</sup> 1   | 2       |
| Mediation agreements -----   | 3       | <sup>2</sup> 7 | 8       | <sup>2</sup> 7   | 25      |
| Party agreements -----       | 16      | <sup>2</sup> 6 | 13      | <sup>1,2</sup> 6 | 41      |
| Percent, total -----         | 100.0   | 100.0          | 100.0   | 100.0            | 100.0   |
| Arbitration agreements ----- | —       | —              | 4.5     | 7.1              | 2.9     |
| Mediation agreements -----   | 15.8    | 53.8           | 36.4    | 50.0             | 36.8    |
| Party agreements -----       | 84.2    | 46.2           | 59.1    | 42.9             | 60.3    |

<sup>1</sup> One case in which both a party agreement and an arbitration agreement were the principal methods of settlement.

<sup>2</sup> One case in which both a party agreement and a mediation agreement were the principal methods of settlement.

NOTE: Dashes denote zeros.

SOURCE: National Mediation Board data.

was convened and once in a 1-day stoppage before Emergency Board No. 150 was appointed and Trainmen (BRT) once, in a 2-day strike over grievances heard by Emergency Board No. 85.

The remaining 63 emergency board disputes, 29 of which involved operating employees, were settled after a formal emergency board report. Of these 63 boards, approximately one-third were concerned with wages and rules, one-fourth with wages, one-fifth with rules, and the remainder with miscellaneous issues. Following the boards' reports, 16 of the above 63 post-emergency board settlements were preceded by work stoppages. Also one stoppage began before a board was appointed and continued after the board released its report (No. 157). Twenty-one strikes were called by railroad employees participating in these 17 emergency boards (two each in Emergency Board Nos. 154 and 172 and three in Emergency Board No. 81). Eight additional work stoppages,<sup>128</sup> five conducted by nonoperating employees, occurred before the creation of an emergency board, a legal course of action once a 30-day status quo period has been observed following the NMB's notice to the parties that mediation has failed and arbitration has been refused. Of the issues that were reported to be the cause of these 28 stoppages, wages and rules was the principal subject in dispute (10 times), followed by rules (eight), wages (four), grievances (two), wages, rules, and working conditions (two), and rules and working conditions (two). (See table 13)

In total, 31 disruptions of railroad services, 18 conducted by operating employees, were associated with 24 emergency boards. Combined, the 31 work stoppages entailed 7,054,095 man-days lost by

<sup>128</sup> Includes the one conducted by the parties participating in the hearings before Emergency Board No. 157.

950,231 railroad employees. This represented 83.8 percent of all railroad man-days idle during 1950-69 and 66.5 percent of all railroad workers involved in strikes during the same period. As table 14 indicates, nonoperating crafts accounted for a substantial share of these losses (approximately 69.7 percent of the workers involved and 67.2 percent of the man-days idle). This was true largely because of four strikes, including a 999 day stoppage conducted between January 1963 and December 1965 which involved 2,023 workers and 1,371,900 man-days and another stoppage lasting 58 days in 1955 at the Louisville and Nashville Railroad which involved 23,870 workers and 1,002,540 man-days.

For the entire period 1950-69, average duration of these 31 emergency board work stoppages was 57 calendar days and the median was 19 calendar days. For the 31 stoppages, duration ranged from a high of 999 days to a low of 1 day. Excluding the 999-day labor-management conflict, extending both before and after institution of the "Section 10" procedure, the mean duration was 26 calendar days, and the median was 14 calendar days. Again excluding the 999-day stoppage, for those interruptions of work beginning before the appointment of a emergency panel, the average duration was 36 days, and the median was 19 days. In contrast, strikes occurring after the boards' reports extended on the average for 26 calendar days, with a median of 14 calendar days.

Only five emergency boards that were national in scope experienced work stoppages. In total, nine strikes were conducted (three each identified with Emergency Board Nos. 81 and 154 and one each associated with Emergency Board Nos. 97, 106, and 169) and involved 631,621 workers and 2,281,245

**Table 13. Railroad emergency board work stoppages, by major issue and group, 1950-69**

| Issues                                     | Total      |                     |                        | Occurred in disputes for which no formal report was issued |                        | Occurred in disputes characterized by post-emergency board settlements |                        |                       |                        |
|--|------------|---------------------|------------------------|--|------------------------|--|------------------------|-----------------------|------------------------|
|  | All crafts | Operating employees | Nonoperating employees | Operating employees  | Nonoperating employees | Before boards' reports   |                        | After boards' reports |                        |
|  |            |                     |                        |  |                        | Operating employees  | Nonoperating employees | Operating employees   | Nonoperating employees |
| Total .....                                | 31         | 18                  | 13                     | 3  | —                      | 3  | 15                     | 12                    | 19                     |
| Grievances .....                           | 3          | 3                   | —                      | 1  | —                      | —  | —                      | 2                     | —                      |
| Rules .....                                | 9          | 8                   | 1                      | 1  | —                      | 3  | —                      | 4                     | 1                      |
| Rules and working conditions .....         | 2          | —                   | 2                      | —  | —                      | —  | 1                      | —                     | 1                      |
| Wages, rules, and working conditions ..... | 2          | —                   | 2                      | —  | —                      | —  | —                      | —                     | 2                      |
| Wages and rules .....                      | 11         | 7                   | 4                      | 1  | —                      | —  | 1                      | 6                     | 3                      |
| Wages .....                                | 4          | —                   | 4                      | —  | —                      | —  | 13                     | —                     | 12                     |

<sup>1</sup> Includes Emergency Board No. 157 that extended both before the board was created and after it released its report.

NOTE: Dashes denote zeros.

SOURCES: National Mediation Board, Bureau of Labor Statistics.

**Table 14. Workers involved and man-days idle, by major group, 1950-69**

| Item  | Workers Involved         |         | Man-days Idle            |         |
|---|--------------------------|---------|--------------------------|---------|
|   | Number<br>(in thousands) | Percent | Number<br>(in thousands) | Percent |
| Total, all<br>railroad<br>stoppages --            | 1,429.8                  | 100.0   | 8,418.6                  | 100.0   |
| Total, all<br>emergency<br>board<br>disputes ---- | 950.2                    | 100.0   | 7,054.1                  | 100.0   |
| Operating employees -                             | 288.2                    | 30.3    | 2,310.9                  | 32.8    |
| Nonoperating<br>employees -----                   | 662.0                    | 69.7    | 4,743.1                  | 67.2    |

SOURCE: Bureau of Labor Statistics.

man-days of idleness.<sup>129</sup> Of the nine stoppages, only one was nationwide, a 2-day interruption of work conducted by six shopcraft unions over wage demands. The average duration for all nine work stoppages was 20 calendar days, and the median was 6 calendar days.

<sup>129</sup> Does not include workers and man-days in "two" strikes as catalogued by the NMB; BLS, on the other hand, counted the "three" strikes associated with this board as one. Thus, no reliable figures were available for the "two" stoppages.

## Chapter VII. Railroad Work Stoppages

Among the general purposes of the RLA was avoidance of interruptions to interstate commerce. Frequency and intensity of work stoppages is undoubtedly the most visible gauge to use in measuring the act's effectiveness, although not necessarily the most reliable. Between 1950–1969, the railroads experienced 316 work stoppages that involved 1,429,819 workers and 8,418,552 man-days of idleness. (See appendix tables A-5 and A-6 and table 15.)

Almost all measures of strike activity were higher in the 1960's than in the 1950's, even without a substantially large difference in the number of strikes and man-days idle. Although average number of man-days per stoppage decreased slightly (1.9 percent) between the decades, the average number of workers per stoppage increased significantly, from 3,157 in the 1950's to 5,793 in the 1960's. The rise in these measures of strike idleness occurred despite a 52.6 percent decline in railroad employment over the two decades.<sup>130</sup> Estimated working-time lost, the most relevant and accurate gauge of strike activity, increased significantly, from 0.15 percent in the 1950's to 0.26 percent in the 1960's.

In 12 years there were 14 individual strikes each in which over 100,000 man-days were lost. With only three exceptions, each of these 12 years was associated with one or more major work stoppages (those involving 10,000 or more workers). In the 1960's, there were 8 stoppages, each involving 100,000 man-days or more, which combined entailed 2.7 million man-days of idleness, and in the 1950's there were

six stoppages of 100,000 or more man-days each, which combined resulted in 3.3 million man-days of idleness.

### Size of stoppages

When coupled with duration, one commonly used variable—size—indicated the direct and immediate impact of work stoppages. Of the 316 total stoppages, one-quarter involved groups of less than 100 employees, and three-fifths dealt with groups of less than 500 workers. (See appendix A-6 and table 16.) A significant number of stoppages (69) dealt with fairly large groups of employees (1,000 and under 10,000), and only 17 strikes idled 10,000 or more workers each. In the 1960's, the relative number of these major stoppages increased substantially. Approximately 600,000 nonoperating employees participated in five major strikes, and 230,000 operating workers were involved in seven such stoppages during this period. The number of stoppages involving 500–999 employees decreased significantly, from 25 in the 1950's to 19 in the 1960's.

Another prominent characteristic of these work stoppages was the number of companies and unions participating in the disputes. Contrary to the implication of coordinated bargaining, single-unit work stoppages were most common, accounting for almost

<sup>130</sup> The 1950–54 period did, however, experience a large number of stoppages and workers idle and the largest number of man-days lost in any subperiod.

**Table 15. Number of railroad work stoppages, workers involved, and man-days idle, 1950–69**

| Years   | Stoppages |                    | Workers involved |                      | Man-days Idle |                      |                             |
|---------|-----------|--------------------|------------------|----------------------|---------------|----------------------|-----------------------------|
|         | Number    | Average per period | Number           | Average per stoppage | Number        | Average per stoppage | Estimated working time lost |
| 1950–54 | 82        | 16.4               | 404,797          | 4,937                | 2,416,907     | 29,474               | 0.16                        |
| 1955–59 | 70        | 14.0               | 75,049           | 1,072                | 1,673,519     | 23,907               | .14                         |
| 1960–64 | 64        | 12.8               | 189,908          | 2,967                | 2,405,628     | 37,907               | .27                         |
| 1965–69 | 100       | 20.0               | 760,065          | 7,601                | 1,922,498     | 19,225               | .25                         |
| 1950–69 | 316       | 15.8               | 1,429,819        | 4,525                | 8,418,552     | 26,641               | .19                         |
| 1950–59 | 152       | 15.2               | 479,846          | 3,157                | 4,090,426     | 26,911               | .15                         |
| 1960–69 | 164       | 16.4               | 949,973          | 5,793                | 4,328,126     | 26,391               | .26                         |

SOURCE: Bureau of Labor Statistics.

80 percent of all strikes. In the 1960's, this type of dispute constituted 83.5 percent of all stoppages. Only 66 strikes—39 of them in the 1950's—were multiunit in nature: 49 (15.5 percent) involving a single carrier and two or more unions; 11 (3.5 percent) in which one union and two or more carriers participated; and six involving more than one carrier and more than one union. Only one of these 66 multiunit stoppages was nationwide, a shopcraft dispute in 1967. Operating employees participated in these multiunit disputes on 36 occasions; nonoperating, 19 times; both groups on 11 occasions.

Major strikes, stoppages involving 10,000 workers or more each, were even more infrequent than multiunit disputes. (See table 17.) Over the two decades, 17 major strikes occurred in the railroad industry, 12 after 1960. For the comparable period, the total economy sustained 418 major strikes, or 0.5 percent of all stoppages. By contrast, the 17 major strikes conducted in the railroad industry constituted 5.4 percent of all railroad stoppages, a level that can be traced to the prevalence of coordinated bargaining and observance of picket lines. These major railroad stoppages accounted for the bulk of man-days idle (61.4 percent) and workers involved (83.7 percent) in all railroad stoppages, 1950–69. Although fewer workers were involved in major railway strikes in the 1950's (368,616) than in the 1960's (828,288), man-days idle attributable to strikes in the former decade (2,853,451) exceeded the level of the latter decade (2,315,735).

Because they are normally chronicled by the vari-

ous forms of mass communications, larger stoppages receive more public attention, particularly if they are associated with emergency boards cases. Twelve major stoppages followed the release of reports by emergency boards (11 appointed between 1950–69) and one other major stoppage preceded the appointment of a board. (See table 17.) Four major strikes were not directly associated with an emergency dispute; however, two of these four stoppages were related to Arbitration Award No. 282 which “terminated” the dispute resulting in the establishment of Emergency Board No. 154.

Of the 17 major stoppages, only five involved a single carrier and a single union, all occurring in the 1960's. In the remaining 12 major stoppages, more than one union or more than one carrier were parties to the disputes.

Although involved in only six major stoppages (five of them in the 1960's) nonoperating employees' unions accounted for 52 percent of the workers involved and 51 percent of the man-days idle associated with these larger strikes. The average duration of these nonoperating stoppages was 19.5 calendar days, compared with 5.2 days for the 11 major stoppages (7 in the 1960's) in which operating employees participated.

In a vast majority of these 17 major strikes, the principal subjects in dispute were wages (7 cases) and job security (6). Plant administration was an issue three times (all in the 1968–69 period) and supplementary benefits, once. Four-fifths of the major disputes occurring in the 1950's were attribut-

**Table 16. Number and percent of railroad work stoppages, by size, selected periods, 1950–69**

| Type of employee     | Total stoppages |          | Under 100 employees |          | 100 and under 500 employees |          | 500 and under 1,000 employees |          | 1,000 and under 10,000 employees |          | 10,000 and over employees |          |
|----------------------|-----------------|----------|---------------------|----------|-----------------------------|----------|-------------------------------|----------|----------------------------------|----------|---------------------------|----------|
|                      | Number          | Per cent | Number              | Per cent | Number                      | Per cent | Number                        | Per cent | Number                           | Per cent | Number                    | Per cent |
| 1950–69              | 316             | 100.0    | 79                  | 25.0     | 107                         | 33.9     | 44                            | 13.9     | 69                               | 21.8     | 17                        | 5.4      |
| Operating workers    | 192             |          | 50                  |          | 67                          |          | 23                            |          | 40                               |          | 12                        |          |
| Nonoperating workers | 106             |          | 26                  |          | 35                          |          | 15                            |          | 25                               |          | 5                         |          |
| Both                 | 18              |          | 3                   |          | 5                           |          | 6                             |          | 4                                |          | —                         |          |
| 1950–54              | 82              | 100.0    | 24                  | 29.3     | 24                          | 29.3     | 12                            | 14.6     | 18                               | 22.0     | 4                         | 4.9      |
| Operating workers    | 50              |          | 15                  |          | 16                          |          | 5                             |          | 10                               |          | 4                         |          |
| Nonoperating workers | 24              |          | 7                   |          | 6                           |          | 5                             |          | 6                                |          | —                         |          |
| Both                 | 8               |          | 2                   |          | 2                           |          | 2                             |          | 2                                |          | —                         |          |
| 1955–59              | 70              | 100.0    | 12                  | 17.1     | 30                          | 42.9     | 13                            | 18.6     | 14                               | 20.0     | 1                         | 1.4      |
| Operating workers    | 43              |          | 9                   |          | 20                          |          | 7                             |          | 7                                |          | —                         |          |
| Nonoperating workers | 20              |          | 3                   |          | 8                           |          | 3                             |          | 5                                |          | 1                         |          |
| Both                 | 7               |          | —                   |          | 2                           |          | 3                             |          | 2                                |          | —                         |          |
| 1960–64              | 64              | 100.0    | 21                  | 32.8     | 21                          | 32.8     | 6                             | 9.4      | 11                               | 17.2     | 5                         | 7.8      |
| Operating workers    | 40              |          | 12                  |          | 13                          |          | 4                             |          | 8                                |          | 3                         |          |
| Nonoperating workers | 21              |          | 8                   |          | 7                           |          | 1                             |          | 3                                |          | 2                         |          |
| Both                 | 3               |          | 1                   |          | 1                           |          | 1                             |          | —                                |          | —                         |          |
| 1965–69              | 100             | 100.0    | 22                  | 22.0     | 32                          | 32.0     | 13                            | 13.0     | 26                               | 26.0     | 7                         | 7.0      |
| Operating workers    | 59              |          | 14                  |          | 18                          |          | 7                             |          | 15                               |          | 5                         |          |
| Nonoperating workers | 41              |          | 8                   |          | 14                          |          | 6                             |          | 11                               |          | 2                         |          |
| Both                 | —               |          | —                   |          | —                           |          | —                             |          | —                                |          | —                         |          |

NOTE: Dashes denote zeros.  
SOURCE: Bureau of Labor Statistics.

**Table 17. Railroad work stoppages, involving 10,000 or more workers, 1950-69**

| Year          | Begin-<br>ning<br>date | Dura-<br>tion<br>(in<br>days) | Parties Involved   |  | Number<br>of<br>workers<br>involved | Man-<br>days<br>idle | Major<br>issue                                | No<br>emer-<br>gency<br>board<br>created | Stoppage<br>prior<br>to the<br>creation<br>of a<br>board | Stoppage<br>following<br>(section 10)<br>"status quo"<br>period |
|---------------|------------------------|-------------------------------|--|--|-------------------------------------|----------------------|---|--|--|---|
|               |                        |                               | Carrier(s)   | Union(s)                                     |                                     |                      |   |  |  |   |
| 1950          | 6-25-50<br>5-10-50     | 14<br>7                       | Various Western railroads <sup>1</sup><br>Pennsylvania; Southern; New<br>York Central; Sante Fe.<br>Various carriers <sup>2</sup><br>New York Central; Terminal<br>Railroad Association of<br>St. Louis. | SUNA<br>BLFE                                 | 58,695<br>174,769                   | 533,679<br>772,022   | Wages<br>Job se-<br>curity.<br>Wages<br>Wages |  |  | X<br>(?)  |
| 1951          | 1-30-51                | 12                            |  | BRT  | 70,285                              | 419,717              |   |  |  | X   |
| 1952          | 3-09-52                | 4                             |  | BLE<br>BLFE<br>ORC                           | 40,997                              | 125,493              |   |  |  | X   |
| 1953-<br>1954 |                        |                               |  |  |                                     | none                 |   |  |  |   |
| 1955          | 3-14-55                | 58                            | Louisville & Nashville   | 10 Non-<br>operating<br>unions. <sup>4</sup> | 23,870                              | 1,002,540            | Supple-<br>mentary<br>benefits.               |  |  | X   |
| 1956-<br>1959 |                        |                               |  |  |                                     | none                 |   |  |  |   |
| 1960          | 9-01-60                | 12                            | Pennsylvania   | TWU, BB,<br>SWMIA, IAM.                      | 72,000                              | 504,000              | Job se-<br>curity.                            |  |  | X   |
| 1961          | 1-10-61                | 14                            | New York Harbor Carriers<br>Conference Committee. <sup>5</sup>   | SIU, MMP,<br>NMEB.                           | 22,970                              | 136,544              | Wages   |  |  | X   |
| 1962          | 8-30-62                | 30                            | Chicago and North Western  | ORT  | 15,270                              | 320,670              | Job se-<br>curity.                            |  |  | X   |
| 1963          |                        |                               |  |  |                                     | none                 |   |  |  |   |
| 1964          | 4-8-64                 | 2                             | Illinois Central   | BLFE, BLE,<br>ORCB, BRT.                     | 20,415                              | 40,830               | Wages   |  |  | X   |
|               | 6-15-64                | 1                             | Missouri-Kansas-Texas;<br>Missouri-Pacific; Texas<br>Mexican; Southern Pacific;<br>Texas & Pacific; Port<br>Terminal Association of<br>Houston.  | BRT  | 12,768                              | 12,768               | Job-se-<br>curity.                            | X  |  |   |
| 1965          | 11-18-65               | 1                             | Atchison, Topeka & Sante Fe  | BRSC   | 29,020                              | 29,020               | Wages   | X  | Or during<br>emer-<br>gency<br>board.                    |   |
| 1966          | 3-31-66                | 4                             | Eight carriers <sup>6</sup>  | BLFE   | 115,294                             | 346,177              | Job se-<br>curity.                            | (?)                                      |  |   |
| 1967          | 7-16-67                | 2                             | Railroad Industry  | 6 shopcraft <sup>8</sup>                     | 459,088                             | 645,112              | Wages   |  |  | X   |
| 1968          | 2-5-68                 | 5                             | Missouri-Pacific; Seaboard<br>Coast; Texas & Pacific.  | BRT  | 39,369                              | 176,926              | Plant<br>admini-<br>stration.                 | (?)                                      |  |   |
|               | 11-6-68                | 2                             | Louisville & Nashville   | BRT  | 12,994                              | 25,988               | Job se-<br>curity.                            |  | X  |   |
| 1969          | 1-13-69                | 1                             | Louisville & Nashville   | UTU (BRT)                                    | 12,900                              | 12,900               | Plant<br>admini-<br>stration.                 |  |  | X   |
|               | 4-8-69                 | 5                             | Illinois Central   | UTU (BRT)                                    | 16,200                              | 64,800               | Plant<br>admini-<br>stration.                 |  |  | X   |

<sup>1</sup> Chicago, Rock Island & Pacific; Great Northern; Chicago Great Western; Denver & Rio Grande Western; Western Pacific.

<sup>2</sup> Followed the report of a Presidential emergency board which was created before fiscal year 1950.

<sup>3</sup> Various carriers involved in Emergency Board No. 81.

<sup>4</sup> IAM, BB, SMWIA, IBEW, BRCA, IBFO, BMWE, BRS, ORT, BRSC.

<sup>5</sup> Baltimore & Ohio; Brooklyn Eastern District Terminal; Bush Terminal; Central Railroad of New Jersey; Erie-Lackawanna; Lehigh Valley; New York Central; New York Dock; New York, New Haven & Hartford; Pennsylvania; and Reading.

<sup>6</sup> Pennsylvania; Central of Georgia; Illinois Central; Grand Trunk; Boston & Maine; Missouri Pacific; Union Pacific; and Seaboard.

<sup>7</sup> The railroads involved in this stoppage claimed that the strike related to the rules and practices in effect upon the expiration of Arbitration Award 282. Arbitration Board No. 282 was created by PL 88-108 to dispose of two issues in dispute between the carriers and unions involved in Emergency Board No. 154.

<sup>8</sup> IAM, BB, SMWIA, IBEW, BRCA, and IBFO.

<sup>9</sup> The dispute relates to the reduction of "crew sizes" in certain instances, as a result of A.B. No. 282.

SOURCES: National Mediation Board data, Bureau of Labor Statistics.

able to economic issues, while noneconomic issues predominated the major stoppages in the 1960's (8 cases). Major strikes involving economic issues extended, on the average, almost twice as long as those resulting from noneconomic issues (13.4 calendar days compared with 7.4 days). Combined, the 17 major strikes' duration, ranging from 1 to 58 days, averaged 10.2 calendar days, with a median of 5.0 days. The majority of these larger strikes were terminated quickly, 10 within 1 week. Only two extended beyond 15 calendar days.

### Duration

In comparison to major strikes, the average duration of all railroad stoppages over the two decades was 13.0 calendar days, 14.6 days in the 1950's and 11.2 days in the 1960's. During the same period, the average annual duration of all strikes experienced in the total economy was 21.7 calendar days, 20.0 days in the 1950's and 23.5 days in the 1960's.

Approximately 75 percent of the railroad disputes extended 6 days or less, and over 91 percent lasted

for fewer than 30 days. (See appendix table A-8 and table A-10.) Only eight railroad stoppages—four in each decade under study—extended for more than 90 days. Three-fourths of these prolonged stoppages were concerned primarily with wages. In contrast to the even distribution of prolonged strikes in the two decades, there was a significant decrease in relative number of medium-length strikes (15 to 29 days and 30 to 59 days) in the 1960's and a substantial increase in shorter stoppages, particularly those extending for only 1 day.

Almost one-half of all workers involved in railroad stoppages participated in strikes which extended 3 days or less, and over nine-tenths of workers involved were associated with stoppages less than 15 days in duration. Stoppages extending for 2 weeks or less were responsible for one-half of all idleness, and strikes lasting less than 60 days accounted for three-fourths. Although prolonged stoppages involved less than 1 percent of all workers, they incurred more than one-fifth of all idleness.

### Operating and nonoperating personnel stoppages

Another pattern in the railroad work stoppages was the different degree of involvement of major occupational groups. Between 1950 and 1969, operating employees participated in 192 work stoppages; nonoperating workers in 106 stoppages; and both groups jointly in 18 strikes. Even though nonoperating employees called fewer strikes in both decades than operating employees, the former increased their strike rate in the 1960's, as shown in table 16. Although nonoperating employees were involved in fewer strikes and accounted for a smaller number of workers involved, they nevertheless were responsible for 54 percent of all man-days lost over the two decades and accounted for the vast majority of man-days in the 1955-59 and 1960-64 periods. (See appendix table A-8.) Average duration for nonoperating crafts' stoppages was 16.6 days, compared with 10.0 for the operating crafts.

Another important difference between operating and nonoperating personnel strikes was the incidence of issues involved in their disputes. (See appendix table A-9.) Although operating employees participated in more stoppages generated by either economic or noneconomic issues, both major groups' disputes were dominated by noneconomic issues, particularly by plant administration and job security matters (in 2 out of 3 cases). Only one major issue,

intraunion or interunion matters, was predominated by a major group, nonoperating employees in this case.

### Issues

Within the 20 years studied, the incidence of major issues in the railroad industry varied, but some patterns did emerge. (See appendix table A-7 and table A-10.) These issues were classified into those involving economic matters, such as wages, supplementary benefits, and wage adjustments; and those concerned with workers' security, i.e., union organization and security, job security, plant administration, interunion or intraunion matters, other working conditions, and other contractual matters.

Of the issues reported to be the causes of significant numbers of stoppages, plant administration was by far the principal subject in dispute over the 20-year span and in every subperiod, except 1950-54. (See appendix tables A-7 and 9.) Although the results were not completely consistent in all periods, wages was the next most troublesome issue, followed by job security and interunion or intraunion matters, respectively.

Economic issues (including supplementary benefits) engendered longer periods of disputes on the average (27.8 calendar days) than survival issues, including union organization and security, other working conditions, and other contractual matters (5.0 days). Within these two major categories, two economic issues, wages and wage adjustments, had the longest durations on the average (38.1 and 9.5 calendar days, respectively), followed by plant administration (5.8), job security (3.2), and intraunion or interunion matters (2.5).

Table 18, which shows duration by major issue, illustrates another important aspect of railroad stoppages. Wages predominated in the longer strikes

**Table 18. Duration of railroad stoppages by major issue, 1950-69**

| Issue                      | Duration of dispute |         |                  |         |                  |         |
|----------------------------|---------------------|---------|------------------|---------|------------------|---------|
|                            | 30 days and over    |         | 60 days and over |         | 90 days and over |         |
|                            | Number              | Percent | Number           | Percent | Number           | Percent |
| Wages .....                | 16                  | 66.7    | 6                | 60.0    | 5                | 83.3    |
| Plant administration ..... | 4                   | 16.7    | 3                | 30.0    | 1                | 16.7    |
| Wage adjustment .....      | 3                   | 12.5    | 1                | 10.0    | —                | —       |
| Job security .....         | 1                   | 4.2     | —                | —       | —                | —       |

NOTE: Dashes denote zeros.

SOURCE: Bureau of Labor Statistics

(those extending 30 days or longer), followed by plant administration, wage adjustment, and job security.

In terms of number of man-days idle and workers involved, economic issues generated substantially greater losses than did noneconomic issues, primarily because of 70 wage disputes which accounted for 54 percent of all workers and all man-days idle. Com-

bined, the 111 strikes dealing with economic issues were responsible for 69 percent of man-days idle and 58 percent of workers involved in all stoppages. Within the two major categories, wages was the primary issue, accounting for 54 percent of all workers and all man-days idle; and job security disputes constituted 30 percent of all workers and 24 percent of all man-days.



## Appendix A

**Table A-1. Selected railroad financial and economic statistics, 1950-69**

| Year | Railroads' share of intercity traffic <sup>1</sup> |  | Carriers in bankruptcy <sup>2</sup> |                     | Rate of return <sup>4</sup> (percent) | Net investment (thousands) <sup>4</sup> | Number of carriers incurring deficits <sup>4</sup> | Operating revenues <sup>3</sup> (thousands) | Operating expenses <sup>3</sup> (thousands) | Labor costs as a percent of railway operating expenses <sup>5</sup> | Employment <sup>4</sup> | Index of output per employee manhour <sup>6</sup> | Operating railroads | Ratio of operating expenses to revenue (percent) |
|------|--|--|-------------------------------------|---------------------|---------------------------------------|---|--|---|---|---|-------------------------|---|---------------------|--|
|      | Revenue freight ton <sup>3</sup> miles (percent)   | Revenue passenger miles <sup>3</sup> (percent) | Number                              | Miles of road owned |                                       |   |  |   |   |   |                         |   |                     |  |
| 1950 | 56.17  | 6.39   | 42                                  | 12,470              | N.A.                                  | N.A.                                    | 16   | \$ 9,587,000                                | \$7,135,055                                 | 65.7  | 1,220,784               | 72.8  | 471                 | 74.42  |
| 1951 | 55.63  | 6.14   | 42                                  | 12,455              | 4.16                                  | \$22,678,000                            | 16   | 10,511,612                                  | 8,122,521                                   | 65.9  | 1,276,000               | 77.1  | 462                 | 77.27  |
| 1952 | 54.48  | 5.61   | 40                                  | 12,226              | 4.54                                  | 23,735,900                              | 14   | 10,702,877                                  | 8,134,811                                   | 66.5  | 1,226,663               | 77.2  | 454                 | 76.01  |
| 1953 | 51.01  | 4.92   | 39                                  | 12,285              | 4.55                                  | 24,360,700                              | 15   | 10,787,891                                  | 8,218,223                                   | 65.8  | 1,206,312               | 77.7  | 448                 | 76.18  |
| 1954 | 49.56  | 4.38   | 37                                  | 10,966              | 3.51                                  | 24,893,100                              | 21   | 9,484,015                                   | 7,460,507                                   | 66.3  | 1,064,705               | 80.9  | 443                 | 78.66  |
| 1955 | 49.53  | 4.01   | 37                                  | 10,959              | 4.54                                  | 24,849,900                              | 14   | 10,229,600                                  | 7,724,496                                   | 65.9  | 1,058,216               | 89.4  | 441                 | 75.51  |
| 1956 | 48.40  | 3.81   | 12                                  | 1,564               | 4.19                                  | 25,517,800                              | 13   | 10,686,492                                  | 8,199,792                                   | 67.2  | 1,042,664               | 93.7  | 422                 | 76.73  |
| 1957 | 46.89  | 3.51   | 6                                   | 1,060               | 3.52                                  | 26,193,900                              | 16   | 10,625,452                                  | 8,321,577                                   | 67.1  | 986,001                 | 95.1  | 415                 | 78.32  |
| 1958 | 45.98  | 3.11   | 7                                   | 1,075               | 2.91                                  | 26,190,100                              | 19   | 9,686,289                                   | 7,631,341                                   | 67.8  | 840,575                 | 99.9  | 412                 | 78.78  |
| 1959 | 45.31  | 2.93   | 8                                   | 1,132               | 2.85                                  | 26,247,400                              | 21   | 9,954,828                                   | 7,796,835                                   | 67.6  | 815,474                 | 106.1   | 411                 | 78.32  |
| 1960 | 44.06  | 2.75   | 8                                   | 1,308               | 2.21                                  | 26,396,700                              | 27   | 9,641,593                                   | 7,657,329                                   | 67.8  | 780,494                 | 110.4   | 407                 | 79.42  |
| 1961 | 43.50  | 2.59   | 7                                   | 2,202               | 2.04                                  | 26,372,500                              | 24   | 9,309,696                                   | 7,361,751                                   | 67.5  | 717,543                 | 118.2   | 397                 | 79.08  |
| 1962 | 43.75  | 2.47   | 6                                   | 1,959               | 2.77                                  | 26,185,900                              | 24   | 9,562,991                                   | 7,507,757                                   | 67.0  | 700,146                 | 125.9   | 395                 | 78.51  |
| 1963 | 43.27  | 2.19   | 5                                   | 1,601               | 3.07                                  | 26,266,200                              | 22   | 9,684,636                                   | 7,542,306                                   | 65.8  | 680,039                 | 133.9   | 395                 | 77.88  |
| 1964 | 43.18  | 2.05   | 5                                   | 1,586               | 3.22                                  | 25,394,500                              | 22   | 9,985,187                                   | 7,830,168                                   | 65.0  | 665,034                 | 142.5   | 380                 | 78.42  |
| 1965 | 43.25  | 1.91   | 5                                   | 1,542               | 3.73                                  | 25,793,700                              | 14   | 10,425,052                                  | 8,002,685                                   | 65.2  | 639,961                 | 157.5   | 372                 | 76.76  |
| 1966 | 42.97  | 1.78   | 4                                   | 1,464               | 3.92                                  | 26,699,500                              | 13   | 10,880,467                                  | 8,277,294                                   | 64.8  | 630,895                 | 169.2   | 375                 | 76.07  |
| 1967 | 41.43  | 1.50   | 6                                   | 2,088               | 2.48                                  | 27,242,000                              | 20   | 10,581,560                                  | 8,359,369                                   | 65.1  | 610,191                 | 173.4   | 370                 | 79.00  |
| 1968 | 41.16  | 1.23   | 4                                   | 485                 | 2.52                                  | 26,903,000                              | 19   | 11,061,902                                  | 8,723,664                                   | 65.1  | 590,536                 | 181.0   | 360                 | 78.66  |
| 1969 | 41.09  | 1.09   | 4                                   | 485                 | 2.38                                  | 27,506,700                              | 21   | 11,658,525                                  | 9,209,137                                   | 64.4  | 578,277                 | 188.8   | 361                 | 78.99  |

<sup>1</sup> The railroads' share of intercity ton miles (public and private) for freight and intercity passenger miles (public and private) for passengers.

<sup>6</sup> Using 1957-59 = 100.

† Preliminary.

<sup>2</sup> Includes all haul-line railroads in receiverships or trusteeships.

NOTE: N.A. denotes not available.

<sup>3</sup> For class I and II line-haul railroads only.

SOURCES: ICC data, Association of American Railroads data, Bureau of Labor Statistics data.

<sup>4</sup> For class I line-haul railroads only

<sup>5</sup> Labor costs include wages and salaries, welfare costs, and payroll taxes.

Table A-2. Railroads' involvement in Railway Labor Act procedures, fiscal years 1950-69<sup>1</sup>

| Year            | Collective bargaining agreements <sup>2</sup> |          |           |                  | Mediation Cases |          |                |              |   |               |                      |                        |   |                 |                  |         |          |                           | Number of emergency boards <sup>3</sup> | Year  |       |       |       |          |
|-----------------|---|----------|-----------|------------------|-----------------|----------|----------------|--------------|---|---------------|----------------------|------------------------|---|-----------------|------------------|---------|----------|---------------------------|---|-------|-------|-------|-------|----------|
|                 | Total   | Airlines | Railroads |                  | Total           | Airlines | Railroads      |              | Major issues involved in railroad mediation cases |               |                      |                        | Disposition of mediation cases by: <sup>2</sup> |                 |                  |         |          | Refusals to arbitrate by: |   |       |       |       |       |          |
|                 |   |          | Number    | Percent of total |                 |          | New agreements | Rates of pay | Rules   | Miscellaneous | Mediation agreements | Arbitration agreements | Dismissals                                      | Withdrawals     |                  | Carrier | Employer | Both                      |   |       |       |       |       |          |
|                 |   |          |           |                  |                 |          |                |              |   |               |                      |                        |   | After mediation | Before mediation |         |          |                           |   |       |       |       |       |          |
| Selected totals | -----   |          |           |                  | 5,227           | 1 243    | 3,984          | -----        | 30  | 671           | 214                  | 184                    | 1,672   | 32              | 371              | 282     | 270      | 105                       | 229                                     | 38    | 71    |       |       |          |
| 1950            | 5,092   | 241      | 4,851     | 95.27            | 234             | 49       | 185            | 79.06        | (*)   | (*)           | (*)                  | (*)                    | (*)   | (*)             | (*)              | (*)     | (*)      | (*)                       | (*)                                     | (*)   | (*)   | (*)   | 11    | ....1950 |
| 1951            | 5,102   | 244      | 4,858     | 95.22            | 269             | 66       | 203            | 75.46        | (*)   | (*)           | (*)                  | (*)                    | (*)   | (*)             | (*)              | (*)     | (*)      | (*)                       | (*)                                     | (*)   | (*)   | (*)   | 6     | ....1951 |
| 1952            | 5,118   | 254      | 4,864     | 95.04            | 273             | 72       | 201            | 73.63        | (*)   | (*)           | (*)                  | (*)                    | (*)   | (*)             | (*)              | (*)     | (*)      | (*)                       | (*)                                     | (*)   | (*)   | (*)   | 4     | ....1952 |
| 1953            | 5,137   | 259      | 4,878     | 94.96            | 297             | 72       | 225            | 75.76        | (*)   | (*)           | (*)                  | (*)                    | (*)   | (*)             | (*)              | (*)     | (*)      | (*)                       | (*)                                     | (*)   | (*)   | (*)   | 1     | ....1953 |
| 1954            | 5,157   | 270      | 4,887     | 94.76            | 250             | 79       | 171            | 68.40        | (*)   | (*)           | (*)                  | (*)                    | (*)   | (*)             | (*)              | (*)     | (*)      | (*)                       | (*)                                     | (*)   | (*)   | (*)   | 2     | ....1954 |
| 1955            | 5,180   | 275      | 4,905     | 94.69            | 312             | 71       | 241            | 77.24        | 1   | 64            | 149                  | 27                     | 158   | 4               | 16               | 22      | 7        | 17                        | 17                                      | 17    | 17    | 17    | 3     | ....1955 |
| 1956            | 5,190   | 277      | 4,913     | 94.66            | 324             | 64       | 260            | 80.25        | 8   | 97            | 75                   | 80                     | 165   | 3               | 16               | 24      | 25       | 10                        | 12                                      | 5     | 4     | 4     | 4     | ....1956 |
| 1957            | 5,196   | 280      | 4,916     | 94.61            | 263             | 58       | 205            | 77.95        | 2   | 73            | 109                  | 21                     | 142   | 6               | 13               | 21      | 8        | 1                         | 8                                       | 6     | 4     | 4     | 4     | ....1957 |
| 1958            | 5,205   | 280      | 4,925     | 94.62            | 305             | 77       | 228            | 74.75        | 7   | 51            | 162                  | 8                      | 119   | 3               | 12               | 23      | 36       | 13                        | 20                                      | 2     | 1     | 1     | 1     | ....1958 |
| 1959            | 5,215   | 282      | 4,933     | 94.59            | 248             | 83       | 165            | 66.53        | 8   | 20            | 108                  | 29                     | 106   | 1               | 16               | 17      | 4        | 8                         | 7                                       | 6     | 6     | 6     | 6     | ....1959 |
| 1960            | 5,218   | 284      | 4,934     | 94.56            | 226             | 73       | 153            | 67.70        | 1   | 40            | 100                  | 12                     | 72  | 3               | 13               | 28      | 12       | 8                         | 13                                      | 4     | 6     | 6     | 6     | ....1960 |
| 1961            | 5,220   | 285      | 4,935     | 94.54            | 229             | 52       | 177            | 77.29        | -----   | 43            | 107                  | 7                      | 96  | 1               | 16               | 18      | 15       | 3                         | 24                                      | 4     | 3     | 3     | 3     | ....1961 |
| 1962            | 5,221   | 286      | 4,935     | 94.52            | 205             | 53       | 152            | 74.15        | -----   | 33            | 119                  | -----                  | 99  | 3               | 10               | 18      | 4        | 7                         | 10                                      | 1     | 6     | 6     | 6     | ....1962 |
| 1963            | 5,226   | 286      | 4,940     | 94.53            | 199             | 66       | 133            | 66.83        | -----   | 42            | 91                   | -----                  | 70  | 1               | 7                | 17      | 9        | 5                         | 23                                      | 1     | 4     | 4     | 4     | ....1963 |
| 1964            | 5,228   | 287      | 4,941     | 94.51            | 252             | 54       | 198            | 78.57        | -----   | 52            | 146                  | -----                  | 108   | 1               | 16               | 26      | 23       | 8                         | 13                                      | 3     | 4     | 4     | 4     | ....1964 |
| 1965            | 5,230   | 288      | 4,942     | 94.49            | 236             | 48       | 188            | 79.66        | -----   | 38            | 150                  | -----                  | 103   | 1               | 21               | 29      | 21       | 2                         | 10                                      | 1     | 4     | 4     | 4     | ....1965 |
| 1966            | 5,235   | 290      | 4,945     | 94.46            | 236             | 36       | 200            | 84.75        | -----   | 35            | 165                  | -----                  | 110   | 2               | 39               | 11      | 12       | 10                        | 11                                      | 5     | 1     | 1     | 1     | ....1966 |
| 1967            | 5,275   | 318      | 4,947     | 93.97            | 242             | 61       | 181            | 74.79        | -----   | 25            | 156                  | -----                  | 72  | 2               | 10               | 18      | 41       | 2                         | 36                                      | ----- | 3     | 3     | 3     | ....1967 |
| 1968            | 5,285   | 324      | 4,961     | 93.87            | 284             | 72       | 212            | 74.65        | 2   | 51            | 159                  | -----                  | 130   | 1               | 37               | 7       | 15       | 10                        | 12                                      | ----- | ----- | ----- | ----- | ....1968 |
| 1969            | 5,404   | 354      | 5,050     | 93.45            | 343             | 37       | 306            | 89.21        | 1   | 7             | 248                  | -----                  | 122   | -----           | 129              | 3       | 38       | 1                         | 13                                      | ----- | ----- | ----- | 4     | ....1969 |

<sup>1</sup> The definition of the industry conforms to industry classification 40 in the Standard Industrial Classification Manual, 1967 edition.

<sup>2</sup> Represents collective bargaining agreements on file with the National Mediation Board, and mediation cases disposed of in a fiscal year, ending June 30.

<sup>3</sup> The number of emergency boards appointed is directly related to the number of refusals

to arbitrate, a residual of the total number of mediation cases disposed of and the number of mediation and arbitration agreements, withdrawals, and dismissals.

<sup>4</sup> Dashes denote information was unavailable for major issues and methods of disposition of railroad mediation cases before 1955.

SOURCE: National Mediation Board data.

**Table A-3. Railroad mediation cases disposed of by the National Mediation Board, by major occupational group, fiscal year, 1950-69**

| Year    | Major occupational groups |   |  |                    |                                  |   |             |                                       |   |                                    |                   |   |  |                                |                   |                                |
|---------|---------------------------|---|--|--------------------|----------------------------------|---|-------------|---------------------------------------|---|------------------------------------|-------------------|---|--|--------------------------------|-------------------|--------------------------------|
|         | All occupations           | Combined groups, rail road <sup>1</sup> | Train, engine, and yard service workers <sup>2</sup> | Mechanical foreman | Maintenance of equipment workers | Clerical, office, station, and storehouse workers | Yardmasters | Maintenance of way and signal workers | Subordinate officials in maintenance of way | Agents, telegrapher, and tower men | Train dispatchers | Technical engineers, architects, draftmen, etc. | Dining car employees and train and pullman porters | Patrolmen and special officers | Marine servicemen | Miscellaneous railroad workers |
| 1950-69 | 3,984                     | 169                                     | 2,312  | 29                 | 157                              | 400   | 91          | 175                                   | 5   | 140                                | 115               | 5   | 102  | 21                             | 144               | 119                            |
| 1950    | 185                       | 6                                       | 103  | 5                  | 6                                | 11  | 3           | 8                                     | —   | 6                                  | 7                 | —   | 12   | 3                              | 8                 | 7                              |
| 1951    | 203                       | 10                                      | 83   | 3                  | 14                               | 16  | 2           | 20                                    | 1   | 8                                  | 22                | 1   | 8  | 2                              | 10                | 3                              |
| 1952    | 201                       | 8                                       | 74   | 2                  | 17                               | 35  | 4           | 12                                    | —   | 10                                 | 21                | —   | 5  | 3                              | 6                 | 4                              |
| 1953    | 225                       | 9                                       | 109  | 2                  | 12                               | 28  | 5           | 12                                    | —   | 10                                 | 7                 | —   | 14   | 1                              | 6                 | 10                             |
| 1954    | 171                       | 8                                       | 102  | —                  | 6                                | 28  | 3           | 4                                     | —   | 5                                  | 8                 | —   | 2  | 1                              | 1                 | 3                              |
| 1955    | 241                       | 13                                      | 147  | 1                  | 13                               | 24  | 4           | 9                                     | —   | 2                                  | 13                | —   | 5  | 3                              | 4                 | 3                              |
| 1956    | 260                       | 6                                       | 150  | 1                  | 10                               | 23  | 16          | 13                                    | —   | 3                                  | 13                | —   | 7  | —                              | 13                | 5                              |
| 1957    | 205                       | 11                                      | 117  | —                  | 11                               | 19  | 6           | 11                                    | —   | 2                                  | 8                 | 2   | 3  | —                              | 10                | 5                              |
| 1958    | 228                       | 4                                       | 153  | 2                  | 5                                | 19  | 8           | 13                                    | —   | 7                                  | 5                 | —   | 2  | 1                              | 5                 | 4                              |
| 1959    | 165                       | 6                                       | 96   | 2                  | 4                                | 21  | 4           | 7                                     | 2   | 9                                  | 1                 | —   | 3  | 1                              | 5                 | 4                              |
| 1960    | 153                       | 4                                       | 78   | —                  | 2                                | 31  | 4           | 10                                    | —   | 10                                 | 1                 | 1   | 3  | 1                              | —                 | 8                              |
| 1961    | 177                       | 7                                       | 107  | —                  | 3                                | 15  | 1           | 6                                     | —   | 10                                 | 1                 | —   | 4  | —                              | 12                | 11                             |
| 1962    | 152                       | 4                                       | 85   | 1                  | 5                                | 22  | 7           | 7                                     | 2   | 4                                  | —                 | —   | 1  | —                              | 7                 | 7                              |
| 1963    | 133                       | 3                                       | 71   | —                  | 7                                | 12  | 9           | 7                                     | —   | 3                                  | —                 | —   | 7  | 1                              | 7                 | 6                              |
| 1964    | 198                       | 7                                       | 127  | —                  | 9                                | 18  | 2           | 7                                     | —   | 7                                  | —                 | 1   | 1  | 1                              | 8                 | 10                             |
| 1965    | 188                       | 16                                      | 94   | 1                  | 10                               | 17  | 9           | 9                                     | —   | 11                                 | 3                 | —   | 3  | —                              | 9                 | 6                              |
| 1966    | 200                       | 10                                      | 111  | 1                  | 19                               | 14  | 1           | 5                                     | —   | 21                                 | —                 | —   | 8  | 1                              | 1                 | 8                              |
| 1967    | 181                       | 13                                      | 129  | 1                  | 2                                | 11  | 1           | 3                                     | —   | —                                  | 1                 | —   | 3  | —                              | 9                 | 8                              |
| 1968    | 212                       | 13                                      | 147  | 4                  | 2                                | 10  | 1           | 8                                     | —   | 4                                  | 3                 | —   | 4  | 1                              | 9                 | 6                              |
| 1969    | 306                       | 11                                      | 229  | 3                  | —                                | 26  | 1           | 4                                     | —   | 8                                  | 1                 | —   | 7  | 1                              | 14                | 1                              |

<sup>1</sup> Mediation cases in which more than one railroad craft was involved.

NOTE: Dashes denote zeros.

<sup>2</sup> This major occupational group constitutes all the operating crafts; the remaining occupational groups comprise the nonoperating crafts.

SOURCE: National Mediation Board data.

**Table A-4. Railroad emergency boards, 1950-69**

| Board number | Union(s)   | Carrier(s)  | Major craft involved                 |               | Major issue |       |                 |            |                                     |                              |
|--------------|--|---|--------------------------------------|---------------|-------------|-------|-----------------|------------|-------------------------------------|------------------------------|
|              |  |   | Operating                            | Non-Operating | Wages       | Rules | Wages and rules | Grievances | Wages, rules and working conditions | Rules and working conditions |
| 76           | BLE, BLFE, ORC, BRT                              | Missouri Pacific  | X                                    |               |             |       |                 |            | X                                   |                              |
| 77           | BRT  | Southern Pacific  | X                                    |               |             | X     |                 |            |                                     |                              |
| 78           | BRT  | Monongahela   | X                                    |               |             |       |                 |            | X                                   |                              |
| 79           | BRT  | Denver & Rio Grande Western   | X                                    |               |             |       |                 |            | X                                   |                              |
| 80           | ORC, BRT, BLE, BLFE                              | Texas & Pacific   | X                                    |               |             |       |                 |            | X                                   |                              |
| 81           | ORC<br>BRT                                       | Eastern, Western & South-eastern Carriers Conference Committees                 | X                                    |               |             |       |                 | X          |                                     |                              |
| 82           | BLE, BLFE  |   | Terminal Railroad Assn. of St. Louis | X             |             | X     |                 |            |                                     |                              |
| 83           | SUNA   | Certain western Railroads <sup>7</sup>  | X                                    |               |             |       |                 | X          |                                     |                              |
| 84           | RYA  | Eastern, Western & South-eastern Carriers Conference Committees                 |                                      | X             |             |       |                 | X          |                                     |                              |
| 85           | BRT  | Chicago & Illinois Midland  | X                                    |               |             |       |                 |            | X                                   |                              |
| 86           | BRT  | Boston & Albany   | X                                    |               |             |       |                 |            | X                                   |                              |
| 87           | ILA  | Toledo, Lakefront Dock Co.  |                                      | X             | X           |       |                 |            |                                     |                              |
| 88           | ILA  | Toledo, Lorain & Fairport Dock Co.  |                                      | X             | X           |       |                 |            |                                     |                              |
| 89           | ORC  | Pullman   | X                                    |               |             |       | X               |            |                                     |                              |
| 91           | BLE, BLFE, ORC, BRT                              | New York Central  | X                                    |               |             |       |                 |            | X                                   |                              |
| 92           | 16 Cooperating nonoperating unions <sup>8</sup>  | Atlantic & East Carolina and 25 other carriers <sup>9</sup>                     |                                      | X             |             |       |                 | X          |                                     |                              |
| 93           | IBT  | REA   |                                      | X             |             |       |                 | X          |                                     |                              |
| 95           | BLE  | Denver & Rio Grande Western   | X                                    |               |             |       | X               |            |                                     |                              |
| 96           | ORC  | Pullman   | X                                    |               | X           |       |                 |            |                                     |                              |
| 97           | BLFE   | Eastern, Western & South-eastern Carriers Conference Committees                 | X                                    |               |             |       |                 | X          |                                     |                              |
| 98           | 17 Cooperating nonoperating unions <sup>10</sup> | Eastern, Western & South-eastern Carrier's Conference Committees                |                                      | X             |             |       | X               |            |                                     |                              |
| 104          | BRT  | New York, Chicago & St. Louis   | X                                    |               |             |       |                 |            | X                                   |                              |
| 105          | BRSC   | REA   |                                      | X             | X           |       |                 |            |                                     |                              |
| 106          | 15 Cooperating nonoperating unions <sup>11</sup> | Eastern, Western & South-eastern Carriers Conference Committees                 |                                      | X             |             |       |                 |            |                                     | X                            |
| 107          | ORCB   | Pullman   | X                                    |               |             |       |                 | X          |                                     |                              |
| 109          | ORCB   | Eastern, Western & South-eastern Carriers Conference Committees                 | X                                    |               | X           |       |                 |            |                                     |                              |
| 110          | BLFE   | Eastern, Western & South-eastern Carriers Conference Committees                 | X                                    |               | X           |       |                 |            |                                     |                              |
| 111          | IBT  | REA   |                                      | X             |             |       |                 | X          |                                     |                              |
| 112          | ORCB   | New York Central  | X                                    |               |             |       | X               |            |                                     |                              |
| 113          | TWU  | Pennsylvania  |                                      | X             |             |       |                 |            |                                     | <sup>12</sup> X              |
| 114          | 12 Cooperating nonoperating unions <sup>12</sup> | Eastern, Western & South-eastern Carriers Conference Committee                  |                                      | X             |             |       |                 | X          |                                     |                              |
| 115          | BLE  | Spokane, Portland & Seattle   | X                                    |               |             |       | X               |            |                                     |                              |
| 116          | BRT  | Eastern, Western & South-eastern Carriers Conference Committees                 | X                                    |               |             |       |                 |            |                                     | X                            |
| 117          | IBT  | REA   |                                      | X             |             |       |                 | X          |                                     |                              |
| 118          | UMW  | Toledo, Lorain & Fairport Dock; Toledo, Lakefront Dock; Cleveland Stevedore Co. |                                      | X             |             |       |                 |            |                                     | X                            |
| 119          | MMP  | General Managers Assn. of New York  |                                      | X             |             |       |                 |            |                                     | X                            |
| 126          | BLE  | Atchison, Topeka & Santa Fe   | X                                    |               |             |       |                 | X          |                                     |                              |

| "Section 6"<br>notice | Duration<br>under<br>act 1<br>(in<br>calendar<br>days) | Work stoppages                                  |                                 |   |                                    | Emergency Board Recommendations |          |                             |  |  | Emergency<br>board<br>number |    |
|-----------------------|--|---|---------------------------------|---|------------------------------------|---------------------------------|----------|-----------------------------|--|--|------------------------------|----|
|                       |  | Number of<br>workers<br>involved<br>(thousands) | Man-days<br>idle<br>(thousands) | Occurred  |                                    | Responses of parties            |          |                             | Settlement deviated from<br>recommendations on |  |                              |    |
|                       |  |   |                                 | Before<br>board<br>created<br>or<br>during<br>board | After<br>board<br>report<br>issued | Union(s)                        | Carriers | Accepted by<br>both parties | Economic<br>issues                             | Job<br>security 2<br>and other<br>issues |                              |    |
| (*)<br>1-14-49        | (*)<br>231   | 27.2  | 816.6                           |   | X                                  | X                               |          |                             |  |  | 76                           |    |
| (*)                   | (*)  | 0.9   | 0.9                             |   | X                                  | X                               | (*)      |                             | (*)  | X  | 77                           |    |
| (*)                   | (*)  |   |                                 |   |                                    | X                               |          |                             |  | X  | 78                           |    |
| (*)                   | (*)  |   |                                 |   |                                    |                                 | (*)      |                             | (*)  |  | 79                           |    |
| } 3-15-49 }           | } 458 }  | } 7.7 }   | } 23.1 }                        |   | X                                  |                                 |          |                             |  |  | 80                           |    |
|                       |  |   |                                 |   | X                                  | X                               |          |                             | X  | X  |                              | 81 |
|                       |  |   |                                 |   | X                                  |                                 |          |                             |  |  |                              |    |
| 10-22-48              | 526  |   |                                 |   |                                    |                                 |          | X                           | X  |  | 82                           |    |
| 9-20-49               | 211  | 58.7  | 533.7                           |   | X                                  | X                               |          |                             | X  |  | 83                           |    |
| 4-10-48               | 796  |   |                                 |   |                                    |                                 |          |                             | X  | X  | 84                           |    |
| (*)                   | (*)  | 0.2   | 0.4                             | X   |                                    |                                 | (*)      |                             | (*)  |  | 85                           |    |
| (*)                   | (*)  |   |                                 |   |                                    |                                 | (*)      |                             | (*)  |  | 85                           |    |
| 1-28-50               | 196  | 0.3   | 7.5                             | X   |                                    | X                               |          |                             |  |  | 87                           |    |
| 1-28-50               | 196  |   |                                 |   |                                    | X                               |          |                             |  |  |                              | 88 |
| 9-19-49               | 411  |   |                                 |   |                                    | X                               |          |                             | (*)  |  | 89                           |    |
| (*)                   | (*)  |   |                                 |   |                                    | X                               |          |                             | (*)  |  | 91                           |    |
| 4-10-48               | 883  | 0.4   | 15.8                            |   | X                                  |                                 | X        |                             |  |  | 92                           |    |
| 6-1-50                | 155  | 6.3   | 88.2                            | X   |                                    |                                 | (*)      |                             |  |  | 93                           |    |
| 10-20-50              | 335  |   |                                 |   |                                    | X                               |          |                             |  |  | 95                           |    |
| 12-7-50               | 301  |   |                                 |   |                                    | X                               |          |                             | X  |  | 96                           |    |
| 11-1-49               | 816  | 41.0  | 125.5                           |   | X                                  | X                               |          |                             | X  |  | 97                           |    |
| 2-5-51                | 375  |   |                                 |   |                                    |                                 | X        |                             |  | X  | 98                           |    |
| (*)                   | (*)  |   |                                 |   |                                    |                                 | (*)      |                             | (*)  |  | 104                          |    |
| 10-1-53               | 140  | 1.5   | 76.2                            | X   |                                    |                                 |          | X                           |  |  | 105                          |    |
| 5-22-53               | 359  | 23.9  | 1,002.5                         |   | X                                  |                                 | X        |                             |  |  | 106                          |    |
| 6-24-54               | 150  |   |                                 |   |                                    |                                 |          | X                           |  |  | 107                          |    |
| 10-1-53               | 541  |   |                                 |   |                                    | X                               |          |                             | X  |  | 109                          |    |
| 7-1-54                | 395  |   |                                 |   |                                    | X                               | X        |                             | X  |  | 110                          |    |
| 2-4-55                | } 196 }  |   |                                 |   |                                    |                                 |          | X                           | X  | X  | 111                          |    |
| 1-1-55                |  | 532   |                                 |   |                                    |                                 | X        |                             |  | X  | 112                          |    |
| 4-1-54                |  | 717   |                                 |   |                                    |                                 | X        |                             |  | X  | 113                          |    |
| 1-21-53               |  | 255   |                                 |   |                                    |                                 | X        |                             |  |  | 114                          |    |
| 8-27-54               |  |   |                                 |   |                                    |                                 |          |                             |  |  |                              |    |
| 4-2-55                |  |   |                                 |   |                                    |                                 |          |                             |  |  |                              |    |
| 6-22-55               | 569  | 2.6   | 10.6                            | X   |                                    |                                 | (*)      |                             | (*)  |  | 115                          |    |
| 2-15-56               | 395  |   |                                 |   |                                    | X                               |          |                             |  |  | 116                          |    |
| 12-16-55              | 462  | 7.2   | 426.3                           |   | X                                  | X                               |          |                             | X  |  | 117                          |    |
| 11-30-56              | 190  | 0.2   | 12.8                            |   | X                                  | X                               |          |                             | X  | X  | 118                          |    |
| 11-20-56              | 305  |   |                                 |   |                                    | X                               |          |                             | X  |  | 119                          |    |
| 7-2-56                | 1,475  |   |                                 |   |                                    |                                 |          | X                           |  | X  | 126                          |    |

Table A-4. Railroad emergency boards, 1950-69—Continued

| Board number | Union(s)   | Carrier(s)   | Major craft involved |               | Major issue |       |                 |            |                                     |                              |
|--------------|--|--|----------------------|---------------|-------------|-------|-----------------|------------|-------------------------------------|------------------------------|
|              |  |  | Operating            | Non-Operating | Wages       | Rules | Wages and rules | Grievances | Wages, rules and working conditions | Rules and working conditions |
| 127          | ORCB   | New York Central   | X                    |               |             | X     |                 |            |                                     |                              |
| 129          | BRT  | Long Island  | X                    |               |             |       |                 | X          |                                     |                              |
| 130          | 11 Cooperating nonoperating unions <sup>14</sup> | Eastern, Western & Southeastern Carriers Conference Committees           |                      | X             |             |       |                 | X          |                                     |                              |
| 131          | SUNA   | Chicago, Rock Island & Pacific and Western Carriers Conference Committee | X                    |               | X           |       |                 |            |                                     |                              |
| 132          | TWU, IAM, BB, SMWIA                              | Pennsylvania   |                      | X             |             |       |                 |            |                                     | X                            |
| 133          | Railroad Marine Harbor Council <sup>15</sup>     | New York Carriers Conference Committee <sup>16</sup>                     |                      | X             |             |       |                 | X          |                                     |                              |
| 134          | ILA  | New York Carriers Conference Committee <sup>16</sup>                     |                      | X             |             |       |                 | X          |                                     |                              |
| 137          | RYA  | Eastern, Western & Southeastern Carriers Conference Committees           |                      | X             | X           |       |                 |            |                                     |                              |
| 138          | ORT  | Southern Pacific   |                      | X             |             |       | X               |            |                                     |                              |
| 139          | ORCB   | Pullman; Chicago, Milwaukee, St. Paul and Pacific                        | X                    |               |             |       | X               |            |                                     |                              |
| 141          | MMP  | Reading  |                      | X             | X           |       |                 |            |                                     |                              |
| 145          | 11 Cooperating nonoperating unions <sup>14</sup> | Eastern, Western & Southeastern Carriers Conference Committees           |                      | X             | X           |       |                 |            |                                     |                              |
| 147          | ORT  | Chicago & North Western  |                      | X             |             |       | X               |            |                                     |                              |
| 148          | ORT  | New York Central, Pittsburgh & Lake Erie                                 |                      | X             |             |       | X               |            |                                     |                              |
| 150          | BLE  | Belt Railway   | X                    |               |             |       |                 | X          |                                     |                              |
| 151          | BRSC   | Southern Pacific   |                      | X             |             |       | X               |            |                                     |                              |
| 153          | IBT  | REA  |                      | X             | X           |       |                 |            |                                     |                              |
| 154          | BLE, BLFE, SUNA, ORCB, & BRT                     | Eastern, Western & Southeastern Carriers Conference Committees           | X                    |               |             |       | X               |            |                                     |                              |
| 155          | BSCP   | Pullman; Chicago, Rock Island & Pacific; New York Central; Soo Lines     |                      | X             | X           |       |                 |            |                                     |                              |
| 157          | 11 Cooperating nonoperating unions <sup>14</sup> | Florida East Coast Ry.   |                      | X             | X           |       |                 |            |                                     |                              |
| 159          | BRS  | Eastern, Western & Southeastern Carriers Conference Committees           |                      | X             | X           |       |                 |            |                                     |                              |
| 160          | RED <sup>20</sup>                                | NRLC <sup>21</sup>   |                      | X             |             |       | X               |            |                                     |                              |
| 161          | RED <sup>20</sup>                                | NRLC   |                      | X             |             |       |                 | X          |                                     |                              |
| 162          | RED <sup>22</sup>                                | NRLC   |                      | X             |             |       |                 | X          |                                     |                              |
| 163          | RED <sup>23</sup>                                | NRLC   |                      | X             |             |       |                 | X          |                                     |                              |
| 164          | BLFE   | NRLC   | X                    |               | X           |       |                 |            |                                     |                              |
| 165          | BRT  | Atchison, Topeka & Santa Fe  | X                    |               |             |       | X               |            |                                     |                              |
| 169          | RED <sup>20</sup>                                | NRLC   |                      | X             | X           |       |                 |            |                                     |                              |
| 170          | BRT, IBEW, IAM                                   | Long Island  | X                    | X             |             |       |                 | X          |                                     |                              |
| 171          | ORCB   | NRLC   | X                    |               |             |       |                 | X          |                                     |                              |
| 172          | BRT  | Belt   |                      |               |             |       |                 |            |                                     |                              |
|              |  | Illinois Central & Louisville & Nashville                                | X                    |               |             |       | X               |            |                                     |                              |
| 173          | UTU (BRT)  | Long Island  | X                    |               |             |       |                 | X          |                                     |                              |
| 174          | ORCB, BLE  | NRLC   | X                    |               |             |       |                 | X          |                                     |                              |
| 175          | BRS  | NRLC   |                      | X             | X           |       |                 |            |                                     |                              |

<sup>1</sup> Simple mean in cases involving more than one party or more than one mediation case. Equal weight was attached to each parties' duration in multi-unit boards and to each mediation case in single-unit panels.

<sup>2</sup> Includes manning requirements, work rules, technological innovation issues, and grievances (and/or time claims).

<sup>3</sup> Grievance cases do not entail "formal Section 6" notices.

<sup>4</sup> Since earlier steps in the RLA-emergency board process were not observed in grievance cases, duration figures could not be compiled.

<sup>5</sup> Not available.

<sup>6</sup> No formal emergency board report.

<sup>7</sup> Chicago, Great Western; Chicago, Rock Island and Pacific; Davenport, Rock Island, and Northwestern; Denver & Rio Grande Western; Minneapolis and St. Louis; Railway Transfer Co.; Northern Pacific Terminal Co. of Oregon; St. Paul Union Depot; Sioux City Terminal; Western Pacific.

<sup>8</sup> IBBFD, IBBISB, BRCA, IBEW, IAM, SMWIA, IBFO, BRSC, BMWE, ORT, BRS, MMP, NMEB, ILA, HREU, RYA.

<sup>9</sup> All class II carriers.

<sup>10</sup> All 16 in footnote eight, plus ATDA.

<sup>11</sup> IAM, IBBISB, IBBDF, SMWIA, IBEW, BRCA, IBFO, BRSC, BMWE, ORT, BRS, MMP, NMEB, ILA, HREU.

| "Section 6"<br>notice | Duration<br>under<br>act 1<br>(in calendar<br>days) | Work stoppages                                  |                                 |   |                                    | Emergency Board Recommendations |          |                             |  |  | Emer-<br>gency<br>board<br>number |     |     |
|-----------------------|---|---|---------------------------------|---|------------------------------------|---------------------------------|----------|-----------------------------|--|--|-----------------------------------|-----|-----|
|                       |   | Number of<br>workers<br>involved<br>(thousands) | Man-days<br>idle<br>(thousands) | Occurred  |                                    | Responses of parties            |          |                             | Settlement deviated from<br>recommendations on |  |                                   |     |     |
|                       |   |   |                                 | Before<br>board<br>created<br>or<br>during<br>board | After<br>board<br>report<br>issued | Union(s)                        | Carriers | Accepted by<br>both parties | Economic<br>issues                             | Job<br>security 2<br>and other<br>issues |                                   |     |     |
| 7-10-58               | 712   |   |                                 |   |                                    | X                               |          |                             |  |  |                                   | 127 |     |
| 11-2-59               | 199   | 6.0   | 132.0                           |   | X                                  | X                               |          |                             | X  | X  |                                   | 129 |     |
| 5-29-59               | 329   |   |                                 |   |                                    | X                               |          |                             |  |  |                                   | 130 |     |
| 9-1-59                |   |   |                                 |   |                                    |                                 |          |                             |  |  |                                   |     |     |
| 3-2-59                | 495   |   |                                 |   |                                    | X                               |          |                             | X  |  |                                   | 131 |     |
| 1-21-58               | 1,043   | 9.8   | 10.2                            | X   |                                    | X                               |          |                             |  |  | X                                 | 132 |     |
| 6-6-59                |   | 72.0  | 504.0                           |   | X                                  | X                               |          |                             |  |  |                                   | 133 |     |
| 6-25-59               |   | 534   | 23.0                            | 136.5   |                                    | X                               | X        |                             |  | X  |                                   |     |     |
| 10-31-59              | 493   |   |                                 |   |                                    | X                               |          |                             |  |  |                                   | 134 |     |
| 10-1-59               | 649   |   |                                 |   |                                    | X                               |          |                             |  |  |                                   | 137 |     |
| 4-24-58               | 1,053   |   |                                 |   |                                    | X                               |          |                             |  |  |                                   | 138 |     |
| 5-5-59                |   |   |                                 |   |                                    | X                               |          | X                           |  |  | X                                 | 139 |     |
| 2-27-59               |   | 1,019   |                                 |   |                                    |                                 | X        |                             |  |  |                                   |     |     |
| 3-3-60                | 610   |   |                                 |   |                                    |                                 |          | (*)                         |  |  | (*)                               | 141 |     |
| 9-1-61                | 245   |   |                                 |   |                                    | X                               |          |                             | X  |  |                                   | 145 |     |
| 12-23-57              | 1,637   | 15.3  | 320.7                           |   | X                                  | X                               |          |                             |  |  |                                   | 147 |     |
| 12-19-57              |   |   |                                 |   |                                    | X                               |          |                             |  |  |                                   |     |     |
| 3-27-58               |   |   |                                 |   |                                    |                                 | X        |                             |  |  |                                   | X   | 148 |
| 5-5-59                | 1,416   |   |                                 |   |                                    | X                               |          |                             |  |  | X                                 | 150 |     |
| 9-7-59                | 1,259   | 0.3   | 0.3                             | X   |                                    | X                               |          | (*)                         |  |  | (*)                               | 151 |     |
| 9-22-58               | 1,562   |   |                                 |   |                                    | X                               |          |                             |  |  | X                                 | 151 |     |
| 11-1-61               | 375   |   |                                 | X   |                                    | X                               |          |                             | X  |  |                                   | 153 |     |
| 11-2-59               | 1,289   | (27)<br>20.4                                    | (27)<br>40.8                    |   | X                                  | X                               |          |                             |  |  | X                                 | 154 |     |
| 9-1-61                | 793   |   |                                 |   | X                                  | X                               |          |                             | X  |  |                                   | 155 |     |
| 9-1-61                | 844   | 2.0   | 1,371.9                         | X <sup>18</sup>                                     | X <sup>18</sup>                    |                                 |          |                             | X <sup>19</sup>                                |  |                                   | 157 |     |
| 2-1-63                | 428   |   |                                 |   |                                    | X                               |          |                             |  |  |                                   | 159 |     |
| 10-15-62              | 663   |   |                                 |   |                                    | X                               |          |                             |  |  | X                                 | 160 |     |
| 5-31-63               | 509   |   |                                 |   |                                    | X                               |          |                             | X  |  | X                                 | 161 |     |
| 5-31-63               | 509   |   |                                 |   |                                    | X                               |          |                             | X  |  | X                                 | 162 |     |
| 5-31-63               | 509   |   |                                 |   |                                    | X                               |          |                             | X  |  | X                                 | 163 |     |
| 12-2-63               | 340   |   |                                 |   |                                    | X                               |          |                             | X  |  |                                   | 164 |     |
| 9-28-56               | 3,284   |   |                                 |   |                                    |                                 |          | (*)                         |  |  | (*)                               | 165 |     |
| 5-17-66               | 298   | 459.1   | 645.1                           |   | X                                  | X                               |          |                             | X  |  |                                   | 169 |     |
| 4-6-66                | 378   |   |                                 |   |                                    | X                               |          |                             |  |  |                                   | 170 |     |
| 5-23-66               |   |   |                                 |   |                                    |                                 | X        |                             |  |  |                                   |     |     |
| 3-2-59                |   |   |                                 |   |                                    |                                 |          |                             | (*)  |  |                                   | (*) | 171 |
| 7-13-66               | 1,669   |   |                                 |   |                                    |                                 |          | (*)                         |  |  | (*)                               |     |     |
| 7-6-65                | 1,173   | 1.1   | 79.2                            | X   |                                    |                                 |          |                             |  |  |                                   | 172 |     |
| 12-23-65              |   | 16.2  | 64.8                            |   | X                                  | X                               |          |                             | X  |  | X                                 |     |     |
| 12-23-65              |   | 13.0  | 26.0                            | X   |                                    | X                               |          |                             |  |  |                                   |     |     |
| 7-2-68                | 294   | 12.9  | 12.9                            |   | X                                  |                                 |          |                             |  |  | X                                 | 173 |     |
| 9-1-67                | 410   |   |                                 |   |                                    | X                               |          |                             | X  |  | X                                 | 174 |     |
| 9-1-67                |   |   |                                 |   |                                    |                                 | X        |                             |  | X  | X                                 |     |     |
| 4-30-68               |   |   |                                 |   |                                    |                                 |          |                             |  |  |                                   |     |     |
| 3-15-67               | 724   |   |                                 |   |                                    | X                               |          |                             | X  |  |                                   | 175 |     |

<sup>12</sup> Board did not consider wages an issue, but union did; subsequent agreement confirmed union's position.

<sup>13</sup> IAM, BBF, SMWIA, IBEW, BRCA, IBFO, BRSC, BMWE, ORT, NMEB, ILA, BRS.

<sup>14</sup> IAM, BBF, SMWIA, IBEW, BRCA, IBFO, BRSC, BMWE, ORT, BRS, HREU.

<sup>15</sup> MMP, NMEB, SIU.

<sup>16</sup> Twelve railroads engaged in passenger and freight transportation over New York harbor.

<sup>17</sup> NMB data indicated two work stoppages occurred after the board was created; BLS officially recorded one stoppage.

<sup>18</sup> Work stoppage extended both before the board was created and after it released its reports.

<sup>19</sup> No formal agreement consummated until December 1971.

<sup>20</sup> Six shopcraft unions: IAM, BBF, SMWIA, IBEW, BRCA, IBFO.

<sup>21</sup> National Railway Labor Conference, the successor to the three carriers conference committees.

<sup>22</sup> Six shopcraft unions, plus BRSC, BMWE, ORT, BRS, HREU.

<sup>23</sup> BRSC, BMWE, ORT, HREU, BRS (except for wage issues).

SOURCES: National Mediation Board, Bureau of Labor Statistics.

**Table A-5. Chronology of railroad RLA—Emergency Boards fiscal years 1950-69**

| Emergency board number | National Mediation Board Case number | Carrier(s)  | Union(s)   | Date of "Section 6" notice | Direct negotiations               |             | Date of request for mediation <sup>1</sup> |            | Date of proffer of mediation |
|------------------------|--------------------------------------|---|--|----------------------------|-----------------------------------|-------------|--|------------|------------------------------|
|                        |                                      |   |  |                            | Beginning date                    | Ending date | Union(s)                                   | Carrier(s) |                              |
| 76                     | A-3157                               | Missouri Pacific  | BLE, BLFE, ORC, BRT                              |                            | Grievance dispute                 |             |  |            | 6-14-49                      |
| 77                     | A-3085<br>A-3086                     | Southern Pacific  | BRT  | 1-14-49                    | 2-10-49                           | 2-17-49     |  | 2-26-49    |                              |
| 78                     | A-3220                               | Monongahela connecting  | BRT  |                            | Grievance dispute                 |             |  |            | 8-29-49                      |
| 79                     | A-3065                               | Denver and Rio Grande Western   | BRT  |                            | Grievance dispute                 |             | 1-26-49                                    |            |                              |
| 80                     | A-3137<br>A-3261                     | Texas and Pacific   | ORC<br>BRT<br>BLE<br>BLFE                        |                            | Grievance dispute                 |             | 4-28-49<br>4-26-49                         |            | 10-19-49                     |
| 81                     | A-3290                               | Eastern, Western and Southeastern Carriers Conference Committees (EWSCCC) | BRT  | 3-15-49                    | 9-22-49                           | 12-14-49    | (*)  | 12-15-49   |                              |
| 82                     | A-3343                               | Terminal Railroad Association of St. Louis                                | ORC  |                            |                                   |             |  |            |                              |
| 83                     | A-3332                               | Certain Western railroads <sup>9</sup>                                    | BLE<br>BLFE                                      | 10-22-48                   | 11- 8-48                          | 1-26-50     |  | 2- 6-50    |                              |
| 84                     | A-3330                               | EWSCCC  | SUNA   | 9-20-49                    | (10)                              | 2- 2-50     |  | 2- 2-50    |                              |
| 85                     | A-3381                               | Chicago and Illinois Midland  | RYA  | 4-10-48                    | 9-22-49                           | 1-10-50     |  | 1-11-50    |                              |
| 86                     | A-3392                               | Boston and Albany   | BRT  |                            | Grievance dispute                 |             |  | 4- 6-50    |                              |
| 87                     | A-3380                               | Toledo, Lake Front Dock Co.   | ILA  | 1-28-50                    | 2-27-50                           | 3-30-50     |  | 3-30-50    |                              |
| 88                     | A-3430                               | Toledo, Lorain & Fairport Dock Co.  | ILA  | 1-28-50                    | (*)                               | 6-16-50     |  | 6-17-50    |                              |
| 89                     | A-3300                               | Pullman   | ORC  | 9-19-49                    | 10-14-49                          | 12-21-49    | 12-27-49                                   | 12-27-49   |                              |
| 91                     | A-3419                               | New York Central  | BLE, BLFE, ORC, BRT                              |                            | Grievance dispute                 |             |  |            | 5-23-52                      |
| 92                     | A-3444                               | Atlantic and East Carolina and 25 other class II carriers                 | 16 cooperating nonoperating unions <sup>12</sup> | 4-10-48                    | (*)                               | (10)        |  | 7- 3-50    |                              |
| 93                     | A-3526                               | Railway Express Agency (REA)  | IBT  | 6- 1-50                    | 7-11-50                           | 9-15-50     |  | 9-21-50    |                              |
| 95                     | A-3563                               | Denver and Rio Grande Western   | BLE  | 10-20-50                   | 10-30-50                          | 11- 9-50    | 11-13-50                                   |            |                              |
| 96                     | A-3637                               | Pullman   | ORC  | 12- 7-50                   | 1- 5-51                           | 1- 5-51     | 1- 8-51                                    |            |                              |
| 97                     | None                                 | EWSCCC  | BLFE   | 11- 1-49                   | 10- 5-50 <sup>14</sup>            | (*)         | 10-24-50                                   | 10-24-50   |                              |
| 98                     | A-3744                               | EWSCCC  | 17 cooperating nonoperating unions <sup>15</sup> | 2- 5-51                    | (10)                              | (10)        |  | 5-23-51    |                              |
| 104                    | A-4182                               | New York, Chicago and Saint Louis   | BRT  |                            | Grievance and time claims dispute |             |  |            | 3-25-53                      |
| 105                    | A-4358                               | REA   | BRSC   | 10- 1-53                   | 11-24-53                          | 11-27-53    |  | 11-27-53   |                              |
| 106                    | A-4336                               | Akron, Canton and Youngstown EWSCCC                                       | 5 cooperating nonoperating unions <sup>17</sup>  | 5-22-53                    | (10)                              | 10-12-53    | 10-20-53                                   |            |                              |
| 107                    | A-4599                               | Pullman   | ORCB   | 6-24-54                    | 7-21-54                           | 8- 6-54     |  | 8-19-54    |                              |
| 109                    | A-4370                               | Baltimore and Ohio EWSCCC   | ORCB   | 10- 1-53                   | 12- 9-53                          | 12-15-53    | 12-15-53                                   | 12-15-53   |                              |
| 110                    | A-4854                               | EWSCCC  | BLFE   | 7- 1-54                    | 1-10-55 <sup>18</sup>             | 5- 3-55     | 5- 6-55                                    |            |                              |

| Initiation of mediation sessions | Proffer of arbitration |                   | Date of National Mediation Board notification to President | Date emergency board created | Emergency board report |                  | Disposition of emergency board dispute                               |                               |  |                                     |
|----------------------------------|------------------------|-------------------|--|------------------------------|------------------------|------------------|--|-------------------------------|--|-------------------------------------|
|                                  | Date                   | Rejected by       |  |                              | Dated                  | Rejected by      | Type of agreement  | Date of agreement             | With a strike  |                                     |
|                                  |                        |                   |  |                              |                        |                  |  |                               | Before emergency board created or during emergency board | After emergency board report issued |
| 6-16-49                          | 7- 8-49                | Unions            | 7- 8-49  | 7-11-49                      | 8- 2-49                | Union            | Negotiation <sup>3</sup>   | 10-23-49                      | 9- 9-49 to 10-23-49                                      |                                     |
| 5-20-49                          | 7- 1-49                | Both              | 7-18-49  | 7-20-49                      | 9- 1-49                | ( <sup>4</sup> ) | ( <sup>4</sup> )   | ( <sup>4</sup> )              |  |                                     |
| 8-31-49                          | 9- 7-49                | Union             | 9- 8-49  | 9-15-49                      | 10- 7-49               | Union            | Negotiation  | 1-22-50                       | 1-21-50 to 1-22-50                                       |                                     |
| 3-21-49                          | 11-25-49               | Union             | 2- 2-50  | 2- 4-50                      | 2-28-50                | Union            | ( <sup>4</sup> )   | ( <sup>4</sup> )              |  |                                     |
| 5-16-49                          | 8-12-49                | Unions            | 2- 9-50  | 2-10-50                      | 3- 9-50                | ( <sup>6</sup> ) | Mediation <sup>6</sup>   | 3- 8-50                       |  |                                     |
| 10-24-49                         | 2- 8-50                |                   |  |                              |                        |                  |  |                               |  |                                     |
| 1-16-50                          | 2-14-50                | Unions            | 2-17-50  | 2-24-50                      | 6-15-50                | Unions           | Negotiation (Arbitration <sup>9</sup> )<br>Negotiation (Arbitration) | 5-25-51<br>8- 1-51<br>5-23-52 | 8-21 to 8-26-50<br>12-13 to 12-15-50                     |                                     |
| 2- 9-50                          | 2-18-50                | Unions            | 3- 3-50  | 3- 3-50                      | 4- 1-50                |                  | Negotiation  | 4-20-50                       |  |                                     |
| 3- 8-50                          | 3-10-50                | Union             | 3-14-50  | 3-20-50                      | 4-16-50                | Union            | Negotiation  | 9-21-50                       | 6-25-50 to 7- 8-50                                       |                                     |
| 3-13-50                          | 3-15-50                | Both              | 4- 3-50  | 4-11-50                      | 6-15-50                | Union            | Negotiation  | 11- 2-50                      |  |                                     |
| 4- 6-50                          | 4-21-50                | Union             | 4-25-50  | 4-26-50                      | 5-19-50                | ( <sup>5</sup> ) | Negotiation  | 5-17-50                       | 4-27-50 to 4-29-50                                       |                                     |
| 4-26-50                          | 5- 3-50                | Union             | 6- 2-50  | 6- 6-50                      | 7- 6-50                | ( <sup>4</sup> ) | ( <sup>4</sup> )   | ( <sup>4</sup> )              |  |                                     |
| 4-24-50                          | 6-29-50                | Union             | 6-29-50  | 7- 3-50                      | 8-11-50                | Union            | Negotiation  | ( <sup>4</sup> )              | 6-16-50 to 7-13-50                                       |                                     |
| 6-28-50                          | 7- 1-50                | Union             | 7- 3-50  | 7- 3-50                      | 8-11-50                | Union            | Negotiation  | ( <sup>4</sup> )              |  |                                     |
| 1- 6-50                          | 3-13-50                | Union             | 6-26-50  | 7- 6-50                      | 11- 3-50               | Union            | Negotiation  | 12-20-50                      |  |                                     |
| 5-25-50                          | 8- 4-50                | Unions            | 8- 4-50  | 8- 4-50                      | 9-13-50                | Unions           | ( <sup>4</sup> )   | ( <sup>4</sup> )              |  |                                     |
| 7-18-50                          | 7-28-50                | Both              | 8- 7-50  | 8-11-50                      | 9- 9-50                | Carriers         | Mediation  | ( <sup>4</sup> )              | 1-29-51 to 3-10-51                                       |                                     |
| 9-30-50                          | ( <sup>12</sup> )      | ( <sup>12</sup> ) | 10- 2-50   | 10- 3-50                     | 11- 2-50               | ( <sup>4</sup> ) | Negotiation  | ( <sup>4</sup> )              | 9-23-50 to 10-12-50                                      |                                     |
| 1-15-51                          | 3-27-51                | Both              | 8- 8-51  | 9- 6-51                      | 9-19-51                | Union            | ( <sup>4</sup> )   | ( <sup>4</sup> )              |  |                                     |
| 3- 2-51                          | 6-22-51                | Both              | 8-28-51  | 9- 6-51                      | 10- 3-51               | Union            | Mediation  | 7-24-52                       |  |                                     |
| 10-30-50                         | ( <sup>4</sup> )       | ( <sup>4</sup> )  | 11- 6-51   | 11- 6-51                     | 1-25-52                | Union            | Negotiation  | 5-23-52                       | 3- 9-52 to 3-12-52                                       |                                     |
| 10- 3-51                         | 10-26-51               | Unions            | 11- 7-51   | 11-15-51                     | 2-14-52                | Carriers         | Negotiation  | 8-29-52 <sup>10</sup>         |  |                                     |
| 3-26-53                          | 3-27-53                | ( <sup>4</sup> )  | 4-22-53  | 4-24-53                      | ( <sup>6</sup> )       | ( <sup>6</sup> ) | Negotiation  | 4-26-53                       |  |                                     |
| 12- 7-53                         | 12-16-53               | Both              | 12-16-53   | 12-16-53                     | 2-17-54                |                  | Negotiation  | 3-26-54                       | 9-14-53 to 12-17-53                                      |                                     |
| 11- 9-53                         | 12-17-53               | Carriers          | 12-23-53   | 12-28-53                     | 5-15-54                | Carriers         | Negotiation  | 8-21-54<br>1-18-55            | 3-14-55 to 5-10-55                                       |                                     |
| 9-15-54                          | 9-24-54                | Union             | 10-15-54   | 10-16-54                     | 11-20-54               |                  | Negotiation  | 1- 3-55                       |  |                                     |
| 1-11-54                          | 10-15-54               | Both              | 11-18-54   | 11-23-54                     | 3- 2-55                | Union            | Mediation  | 5-26-55                       |  |                                     |
| 5-10-55                          | 5-27-55                | Union             | 6-13-55  | 6-17-55                      | 7-30-55                | Both             | Mediation  | 10-14-55                      |  |                                     |

**Table A-5. Chronology of railroad RLA—Emergency Board fiscal years 1950-69—Continued**

| Emergency board number | National Mediation Board case number | Carrier(s)   | Union(s)   | Date of "Section 6" notice    | Direct negotiations                    |   | Date of request for mediation |                    | Date of proffer of mediation |
|------------------------|--------------------------------------|--|--|-------------------------------|--|---|-------------------------------|--------------------|------------------------------|
|                        |                                      |  |  |                               | Beginning date                         | Ending date                                       | Union(s)                      | Carrier(s)         |                              |
| 111                    | A-4779<br>A-4860                     | REA -----  | IBT  | 2- 4-55<br>1- 1-55            | 3- 2-55<br>1-25-55                     | 3- 3-55<br>5-11-55                                | 3- 3-55                       | 3- 3-55<br>5-11-55 |                              |
| 112                    | A-4712                               | New York Central -----   | ORCB   | 4- 1-54                       | 4-28-54                                | 8-19-54   | 12-21-54                      |                    |                              |
| 113                    | A-4717<br>A-4867                     | Pennsylvania -----   | TWU  | 1-21-53<br>8-27-54            | 2-19-53<br>9-24-54                     | 3-30-54<br>12-17-54                               | 11-29-54<br>1-25-55           |                    |                              |
| 114                    | A-4985                               | Albany Port District<br>EWSCCC -----   | 12 cooperating<br>nonoperating<br>unions <sup>19</sup>       | 4- 2-55                       | ( <sup>20</sup> )                      | ( <sup>20</sup> )                                 |                               |                    | 9-30-55                      |
| 115                    | A-5245                               | Spokane, Portland and<br>Seattle -----   | BLE  | 6-22-55                       | 9-17-56                                | 9-19-56   |                               | 9-19-56            |                              |
| 116                    | A-5248                               | EWSCCC ..  | BRT  | 2-15-56                       | ( <sup>10</sup> )                      | 9-19-56   |                               | 9-21-56            |                              |
| 117                    | A-5211                               | REA -----  | IBT  | 12-16-55                      | 1-18-56                                | 8-14-56   | 8-14-56                       | 8-14-56            |                              |
| 118                    | A-5385<br>A-5386<br>A-5433           | Toledo, Lorain and Fairport<br>Dock -----<br>Toledo, Lakefront Dock<br>Cleveland Stevedore Co. ----- | UMW  | 10-30-56                      | Dec. '56                               | ( <sup>21</sup> )<br>( <sup>21</sup> )<br>3- 7-57 | 1-24-57<br>1-24-57<br>4-10-57 |                    |                              |
| 119                    | A-5435                               | General Managers Assoc. of<br>New York <sup>22</sup>   | MMP  | 11-20-56                      | Dec. '56                               | 2-25-57   | 3-29-57                       |                    |                              |
| 126                    | E-218                                | Atchison, Topeka and Santa<br>Fe -----   | BLE  | 7- 2-56                       | 11-20-59                               | 11-20-59  |                               |                    | 2- 8-60                      |
| 127                    | A-5866                               | New York Central -----   | ORCB   | 7-10-58                       | 7-18-58                                | 8- 7-58   | 8-12-58                       |                    |                              |
| 129                    | E-213                                | Long Island -----  | BRT  | 11- 2-59                      | 11-10-59                               | 12- 1-59  |                               |                    | 12- 4-59                     |
| 130                    | A-6157<br>A-6158                     | Akron and Barberton Belt ---<br>EWSCCC -----   | 11 cooperating<br>nonoperating<br>unions <sup>23</sup>       | 5-29-59<br>9- 1-59            | 11-23-59                               | 1-19-60   |                               | 1-19-60            |                              |
| 131                    | A-6082                               | Chicago, Rock Island, and<br>Pacific Western Carriers<br>Conference Committee<br>(WCCC) -----        | SUNA   | 3- 2-59                       | Mar. '59                               | 9-24-59   | 9-24-59                       | 9-24-59            |                              |
| 132                    | A-5949<br>E-134                      | Pennsylvania ...   | System Fed-<br>eration<br>No. 52 <sup>24</sup><br>TWU<br>TWU | 1-21-58<br>6-26-57<br>6-26-57 | 1-21-58<br>( <sup>4</sup> )<br>7-26-57 | 2- 4-59<br>10- 8-57                               | 2- 4-59                       | 2- 4-59            | 10-28-57                     |
| 133                    | A-6217                               | New York Carriers Conference<br>Committee <sup>25</sup>  | Railroad<br>Marine<br>Harbor<br>Council <sup>26</sup>        | 6-25-59                       | 7-30-59                                | 4-29-60   |                               | 5- 2-60            |                              |
| 134                    | A-6352                               | New York Carriers Conference<br>Committee  | ILA  | 10-31-59                      | 4-29-60                                | 9-29-60   |                               | 9-29-60            |                              |
| 137                    | A-6360                               | Baltimore and Ohio<br>EWSCCC -----   | RYA  | 10- 1-59                      | Oct. '59                               | 10-19-60  | 10-20-60                      | 10-20-60           |                              |
| 138                    | A-5904<br>A-6083                     | Southern Pacific -----   | ORT  | 4-24-58<br>5- 5-59            | ( <sup>4</sup> )<br>6- 4-59            | 6- 6-58<br>8-19-59                                | 10-10-58<br>8-25-59           |                    |                              |
| 139                    | A-6380<br>A-6400                     | Pullman<br>Chicago, Milwaukee, St. Paul<br>& Pacific -----   | ORCB   | 2-27-59                       | 3-30-59<br>3-31-59                     | 5-26-59<br>5-27-59                                | 9-24-59                       |                    |                              |
| 141                    | A-6246                               | Reading -----  | MMP  | 3- 3-60                       | 3-30-60                                | 5-12-60   | 5-26-60                       | 5-26-60            |                              |
| 145                    | A-6627                               | Akron and Barberton Belt<br>EWSCCC -----   | 11 cooperating<br>nonoperating<br>unions <sup>23</sup>       | 9- 1-61                       | Sept. '61                              | ( <sup>20</sup> )                                 | 10-10-61                      |                    |                              |
| 147                    | A-5696<br>A-5739                     | Chicago and Northwestern ---   | ORT  | 12-23-57<br>12-19-57          | 1-17-58                                | 1-17-58   | 2- 5-58<br>3-17-58            |                    |                              |
| 148                    | A-5809<br>A-6063                     | New York Central -----<br>Pittsburgh and Lake Erie -----   | ORT  | 3-27-58<br>5- 5-59            | ( <sup>4</sup> )<br>6- 3-59            | 4-25-58<br>7-11-59                                | 6- 2-58<br>8- 7-59            |                    |                              |
| 150                    | A-6690                               | Belt Railway -----   | BLE  | 9- 7-59                       | ( <sup>4</sup> )                       | 5- 2-62   |                               | 5- 3-62            |                              |

| Initiation of mediation session | Proffer of arbitration |             | Date of National Mediation Board notification to President | Date emergency board created | Emergency board reported |             | Disposition of emergency board dispute |                                |  |                                     |
|---------------------------------|------------------------|-------------|--|------------------------------|--------------------------|-------------|--|--------------------------------|--|-------------------------------------|
|                                 | Date                   | Rejected by |  |                              | Dated                    | Rejected by | Type of agreement                      | Date <sup>2</sup> of agreement | With a strike  |                                     |
|                                 |                        |             |  |                              |                          |             |  |                                | Before emergency board created or during emergency board | After emergency board report issued |
| 4-20-55                         | 5-18-55                | Union       | 7- 1-55  | 7- 1-55                      | 8- 1-55                  |             | Negotiation                            | (*)                            |  |                                     |
| 5-25-55                         | 6- 6-55                |             |  |                              |                          |             |  |                                |  |                                     |
| 1-24-55                         | 3-11-55                | Union       | 8-11-55  | 8-13-55                      | 9-14-55                  | Union       | Mediation                              | 10-19-55                       |  |                                     |
| 2- 3-55                         | 8- 1-55                | Union       | 8-25-55  | 9- 1-55                      | 10-26-55                 | Union       | Negotiation                            | 1- 5-56                        |  |                                     |
| 6-27-55                         |                        |             |  |                              |                          |             |  |                                |  |                                     |
| 10- 5-55                        | 10-27-55               | Unions      | 11- 3-55   | 11- 7-55                     | 12-12-55                 | Unions      | Negotiation                            | 12-21-55                       |  |                                     |
| 10- 2-56                        | 10- 9-56               | Union       | 12- 3-56   | 12- 5-56                     | (*)                      | (*)         | Negotiation                            | 1-10-57                        | 12- 1-56 to 12- 6-56                                     |                                     |
| 10- 3-56                        | 12-10-56               | Union       | 12-20-56   | 12-22-56                     | 3-15-57                  | Union       | Mediation (Arbitration)                | 4- 5-57<br>3-20-58             |  |                                     |
| 10- 4-56                        | 12-17-56               | Union       | 1-14-57  | 1-25-57                      | 3-21-57                  | Union       | Mediation                              | 7-22-57                        |  | 4-22-57 to 7-18-57                  |
| 3-15-57                         | 4- 5-57                | Union       | 5- 7-57  | 5- 9-57                      | 6- 7-57                  | Union       | Negotiation<br>Mediation<br>(*)        | 7- 7-57<br>9-13-57<br>(*)      |  | 7- 7-57 to 9-13-57                  |
| 3- 7-57                         |                        |             |  |                              |                          |             |  |                                |  |                                     |
| 4-15-57                         |                        |             |  |                              |                          |             |  |                                |  |                                     |
| 5-13-57                         | 6-27-57                | Union       | 8- 5-57  | 8- 6-57                      | 9-20-57                  | Union       | Mediation                              | 10-22-57                       |  |                                     |
| 2- 8-60                         | 2-11-60                | Union       | 2-11-60  | 2-12-60                      | 7-15-60                  |             | Negotiation                            | 8- 7-61                        |  |                                     |
| 10-22-58                        | 1- 4-60                | Both        | 2-26-60  | 2-29-60                      | 6-20-60                  | Union       | Mediation                              | 1-27-61                        |  |                                     |
| 2-17-60                         | 3-11-60                | Union       | 4-12-60  | 4-18-60                      | 5-18-60                  | Union       | Mediation                              | 8-10-60                        |  | 7-10-60 to 8- 4-60                  |
| 1-25-60                         | 3-28-60                | Unions      | 4-19-60  | 4-22-60                      | 6- 8-60                  | Unions      | Negotiation                            | 8-19-60                        |  |                                     |
| 10-25-59                        | 5- 5-60                | Union       | 5-11-60  | 5-23-60                      | 7- 8-60                  | Union       | Negotiation                            | 10- 1-60                       |  |                                     |
| 2-24-59                         | 10-26-59               | Unions      | 5-18-60  | 5-20-60                      | 6-24-60                  | Unions      | Mediation (Arbitration)                | 9-12-60<br>8-31-61             | 5-16-60 to 5-19-60                                       | 9- 1-60 to 9-12-60                  |
| 11-19-57                        |                        |             |  |                              |                          |             |  |                                |  |                                     |
| 5- 9-60                         | 8-24-60                | Unions      | 9-19-60  | 9-28-60                      | 12-10-60                 | Union       | Mediation                              | 1-23-61                        |  | 1-10-61 to 1-23-61                  |
| 10-31-60                        | 12- 6-60               | Union       | 1- 5-61  | 1-21-61                      | 3- 6-61                  | Union       | Negotiation                            | 3-14-61                        |  |                                     |
| 12- 6-60                        | 3-16-61                | Union       | 5-16-61  | 5-19-61                      | 7-10-61                  | Union       | Mediation                              | 9-27-61                        |  |                                     |
| 12- 8-60                        | 3-14-61                | Both        | 7-17-61  | 7-20-61                      | 9-15-61                  | Both        | Mediation                              | 10-29-61                       |  |                                     |
| 11- 4-59                        | 3-15-61                |             |  |                              |                          |             |  |                                |  |                                     |
| 5- 2-61                         | 7-19-61                | Union       | 8-30-61  | 9- 1-61                      | 12-11-61                 | Union       | Negotiation                            | 12- 7-63<br>4- 9-62            |  |                                     |
| 6- 1-61                         |                        |             |  |                              |                          |             |  |                                |  |                                     |
| 8-29-60                         | 8-28-61                | Union       | 10-11-61   | 10-11-61                     | 12- 5-61                 | (*)         | Negotiation                            | 11- 2-61                       |  |                                     |
| 1-30-62                         | 2- 2-62                | Unions      | 2-27-62  | 3- 3-62                      | 5- 3-62                  | Unions      | Negotiation                            | 6- 5-62                        |  |                                     |
| 5-22-58                         | 5-27-58                | Both        | 4-18-62  | 4-23-62                      | 6-14-62                  | Union       | Mediation (Arbitration)                | 9-28-62<br>10- 8-62            |  | 8-30-62 to 9-28-62                  |
| 3-16-59                         | 1-25-62                | Union       | 6- 5-62  | 6- 8-62                      | 8-30-62                  | Union       | Negotiation                            | 12-10-62                       |  |                                     |
| 12- 8-59                        |                        |             |  |                              |                          |             |  |                                |  |                                     |
| 5- 3-62                         | 6-21-62                | Union       | 8- 2-62  | 8- 6-62                      | 3- 4-63                  | (*)         | Negotiation                            | 2-16-63                        | 5- 2-62 to 5- 3-62                                       |                                     |

**Table A-5. Chronology of railroad RLA—Emergency Boards fiscal years 1950-69—Continued**

| Emergency board number | National Mediation Board case number | Carrier(s)  | Union(s)   | Date of "Section 6" notice | Direct negotiations   |             | Date of request for mediation |            | Date of proffer of mediation |  |  |
|------------------------|--------------------------------------|---|--|----------------------------|-----------------------|-------------|-------------------------------|------------|------------------------------|--|--|
|                        |                                      |   |  |                            | Beginning date        | Ending date | Union(s)                      | Carrier(s) |                              |  |  |
| 151                    | A-6617                               | Southern Pacific -----  | BRSC   | 9-22-58                    | (4)                   | 1-17-62     |                               | 1-18-62    |                              |  |  |
| 153                    | A-6671                               | } REA -----   | } IBT -----                                      | 11- 1-61                   | } 1- 9-62             | 3- 8-62     | } 3- 9-62                     |            |                              |  |  |
| 154                    | A-6696                               |   |  |                            |                       |             |                               | 1-10-62    |                              |  |  |
|                        | A-6700                               | EWSCCC -----  | BLFE, SUNA, BLE, BRT, ORCB                       | 11- 2-59                   | (10)                  | 5-17-62     | 5-21-62                       |            |                              |  |  |
| 155                    | A-6794                               | } Pullman -----<br>Chicago, Rock Island and Pacific -----<br>New York Central -----<br>Soo Line ----- | } BSCP -----                                     | 9- 1-61                    | } 9-26-61             | 6-12-62     | } 9- 4-62                     |            |                              |  |  |
|                        | A-6795                               |   |  |                            |                       |             |                               | 8-24-62    |                              |  |  |
|                        | A-6796                               |   |  |                            |                       |             |                               | 7- 6-62    |                              |  |  |
|                        | A-6797                               |   |  |                            |                       |             |                               | 4- 3-62    |                              |  |  |
| 157                    | A-6627, Sub. 1                       | Florida East Coast -----  | 11 cooperating nonoperating unions <sup>28</sup> | 9- 1-61                    | (20)                  | (20)        | 7-20-62                       |            |                              |  |  |
| 159                    | A-6967                               | EWSCCC -----  | BRS  | 2- 1-63                    | (10)                  | (10)        | 5- 6-53                       |            |                              |  |  |
| 160                    | A-7030                               | National Railway Labor Conference (NRLC) -----  | RED <sup>27</sup>                                | 10-15-62                   | Nov. '62              | (10)        | 6-28-63                       |            |                              |  |  |
| <sup>28</sup> 161      | A-7107                               | NRLC -----  | RED <sup>27</sup>                                | 5-31-63                    | (10)                  | (10)        | 1-15-64                       |            |                              |  |  |
| <sup>28</sup> 162      | A-7127                               | NRLC -----  | RED <sup>29</sup>                                | 5-31-63                    | (10)                  | 1-10-64     | 1-16-64                       |            |                              |  |  |
| <sup>28</sup> 163      | A-7128                               | NRLC -----  | RED <sup>30</sup>                                | 5-31-63                    | (10)                  | 1-24-64     | 1-28-64                       |            |                              |  |  |
| 164                    | A-7173                               | NRLC -----  | BLFE   | 12- 2-63                   | 3-17-64 <sup>18</sup> | 3-31-64     | 4-10-64                       |            |                              |  |  |
| 165                    | A-6318                               | Atchison, Topeka and Santa Fe -----   | BRT  | 9-28-56                    | 10-26-56              | 8-12-60     |                               | 8-24-60    |                              |  |  |
| 169                    | A-7949                               | NRLC, EWSCCC -----  | RED <sup>27</sup>                                | 5-17-66                    | (10)                  | July '66    | 7-15-66                       |            |                              |  |  |
| 170                    | E-322                                | } Long Island   | BRT  | 4- 6-66                    | (4)                   | 1-23-67     |                               | 2- 1-67    |                              |  |  |
|                        | A-7970                               |   |  | IBEW IAM                   | 5-23-66               | 6-20-66     | 9-28-66                       | 10- 6-66   |                              |  |  |
| 171                    | A-6285                               | } NRLC -----  | } ORCB -----                                     | 3- 2-59                    | (4)                   | (4)         | 9-24-59                       | 9-24-59    |                              |  |  |
|                        | A-7981                               |   |  |                            |                       | 7-13-66     | 11-14-66                      | 11-15-66   | 11-16-66                     |  |  |
| 172                    | A-7521, & Sub. 1                     | } Belt -----  | } BRT -----                                      | } 7- 6-65                  | } (4)                 | } (4)       | } 7-30-65                     | }          |                              |  |  |
|                        | A-7538, & Sub. 1                     |   |  |                            |                       |             |                               |            |                              |  |  |
|                        | A-7566, & Sub. 1                     | } Illinois Central -----  | } BRT -----                                      | } 12-23-65                 | } (4)                 | } (4)       | } 1-14-66                     | }          |                              |  |  |
|                        | A-7567, & Sub. 1                     |   |  |                            |                       |             |                               |            |                              |  |  |
|                        | A-7567, & Sub. 1                     | } Louisville and Nashville -----  | } BRT -----                                      | } 12-23-65                 | } (4)                 | } (4)       | } 8-12-65                     | }          |                              |  |  |
|                        | A-7567, & Sub. 1                     |   |  |                            |                       |             |                               |            |                              |  |  |
| 173                    | E-346                                | Long Island -----   | BRT (UTU)  | 7- 2-68                    | 8- 1-68               | 9-27-68     | 1-13-66                       | 9-30-68    |                              |  |  |
| 174                    | A-8458                               | } NRLC -----  | } ORCB -----                                     | 9- 1-67                    |                       |             |                               |            |                              |  |  |
|                        | A-8478, Sub. 1-7                     |   |  |                            |                       | 9-15-67     |                               |            |                              |  |  |
|                        | A-8448                               |   |  |                            |                       | 4- 1-68     | (10)                          | 9-18-68    | 9-19-68                      |  |  |
|                        | A-8448                               |   |  |                            |                       | 9- 1-67     | (4)                           | 10-13-67   |                              |  |  |
|                        | A-8433                               | NRLC, EWSCCC -----  | BLE  | 4-30-68                    | (4)                   | 9-13-68     | 12- 6-67                      | 9-18-68    |                              |  |  |
| 175                    | A-8433                               | NRLC, EWSCCC -----  | BRS  | 3- 1-68                    | (10)                  | 8-16-68     | 8-16-68                       | 8-16-68    |                              |  |  |

<sup>1</sup> Date that one of the parties first requested the mediatory services of the National Mediation Board.

<sup>2</sup> Date (1) agreement was reached by the parties, (2) agreement was ratified, or (3) arbitration award was rendered.

<sup>3</sup> Parties settled directly; no evidence to indicate mediation or arbitration was utilized to reach an agreement.

<sup>4</sup> No data available.

<sup>5</sup> No report or no formal recommendations issued.

<sup>6</sup> Mediation agreement.

<sup>7</sup> Related disputes that were handled concurrently or separately by the same board members.

<sup>8</sup> Arbitration agreement.

<sup>9</sup> Chicago, Great Western; Chicago, Rock Island and Pacific; Davenport, Rock Island, and Northwestern; Denver and Rio Grande Western; Minne-

apolis and St. Louis; Railway Transfer Co.; Northern Pacific Terminal Co. of Oregon; St. Paul Union Depot Co.; Sioux City Terminal Railway Co.; Western Pacific; Great Northern.

<sup>10</sup> Negotiations on local properties commenced and/or ended on various dates.

<sup>11</sup> See footnote 7.

<sup>12</sup> IBBDF, IBBISB, BRC(A), IBEW, IAM, SMWIA, IBFO, BRSC, BMWE, ORT, BRS, MMP, NMEB, ILA, HREU, RYA.

<sup>13</sup> Apparently steps skipped because of a work stoppage.

<sup>14</sup> National conferences.

<sup>15</sup> IAM, IBBDF, IBBISB, SMWIA, IBEW, BRC(A), IBFO, BRSC, BMWE, ORT, BRS, MMP, NMEB, ILA, HREU, ATDA, RYA.

<sup>16</sup> Agreement signed with various carriers associated with the Eastern Carriers Conference Committee.

| Initiation of mediation session   | Proffer of arbitration   |                | Date of National Mediation Board notification to President | Date emergency board created | Emergency board reported |                   | Disposition of emergency board dispute   |                                |  |  |
|---|--|----------------|--|------------------------------|--------------------------|-------------------|--|--------------------------------|--|--|
|   | Date   | Rejected by    |  |                              | Dated                    | Rejected by       | Type of agreement                        | Date <sup>2</sup> of agreement | With a strike  |  |
|   |  |                |  |                              |                          |                   |  |                                | Before emergency board created or during emergency board | After emergency board report issued                  |
| 1-29-62   | 4-13-62  | Union          | 8- 8-62  | 8-10-62                      | 12-31-62                 | Union             | Negotiation (Arbitration)                |                                | 3-16-63  |  |
| 5- 9-62<br>6-28-62<br>5-23-62   | 8- 1-62<br>6-26-62   | Both<br>Unions | 9-11-62<br>4- 2-63   | 9-14-62<br>4- 3-63           | 11-10-62<br>5-13-63      | Union<br>Unions   | Negotiation<br>Arbitration (Negotiation) | 1-17-63<br>11-26-63<br>6-25-64 | 4- 5-63<br>to<br>5- 7-63                                 | 1- 8-64<br>to<br>4- 7-64<br>7- 3-63<br>to<br>8-28-63 |
| 3- 7-63<br>11- 6-62   | 3-22-63  | Union          | 6-25-63  | 7- 4-63                      | 11- 2-63                 | Union             | Negotiation                              | 12-17-63                       |  |  |
| 1-17-63<br>11-19-62<br>8-15-62  | 4-16-63<br>9-25-62   |                |  |                              |                          |                   |  |                                | Both   | 11- 4-63   |
| 8- 1-63   | 10-25-63   | Both           | 12-20-63   | 1- 3-64                      | 4- 3-64                  | Union             | Negotiation                              | 5- 1-64                        |  |  |
| 10-22-63  | 1-30-64  | Unions         | 3-10-64  | 3-17-64                      | 8- 7-64                  | Unions            | Mediation                                | 9-25-64                        |  |  |
| 3-10-64   | 8- 5-64  | Unions         | 8-13-64  | 8-18-64                      | 10-20-64                 | Unions            | Mediation                                | 11-21-64                       |  |  |
| 3-10-64   | 8- 5-64  | Unions         | 8-13-64  | 8-18-64                      | 10-20-64                 | Unions            | Mediation                                | 11-21-64                       |  |  |
| 3-10-64   | 8- 5-64  | Unions         | 8-13-64  | 8-18-64                      | 10-20-64                 | Unions            | Mediation                                | 2- 4-65                        |  |  |
| 3-10-64   | 8- 5-64  | Unions         | 8-13-64  | 8-18-64                      | 10-20-64                 | Unions            | Mediation                                | 2- 4-65                        |  |  |
| 7-30-64   | 8-19-64  | Union          | 9-16-64  | 9-24-64                      | 11- 5-64                 | Union             | Negotiation                              | 12- 2-64                       |  |  |
| 11-18-60  | 8-15-62  | Union          | 9-11-65  | 9-13-65                      | ( <sup>17</sup> )        | ( <sup>18</sup> ) | Mediation                                | 8-13-64                        |  |  |
| 10-19-66  | 1- 6-67  | Unions         | 1-19-67  | 1-28-67                      | 3-10-67                  | Unions            | Arbitration                              | 10-31-61                       |  |  |
| 2- 7-67   | 3- 3-67  | Unions         | 4- 6-67  | 4-12-67                      | 5-12-67                  | Unions            | Negotiation                              | 9-25-65                        |  |  |
| 1-30-67<br>Aug. '62<br>12- 1-66   | 10- 1-62<br>3-23-67  |                |  |                              |                          |                   |  | Both <sup>21</sup>             | 5-23-67  | 5-30-67  |
| 1-18-68<br>1-18-68<br>8- 8-66<br>5-28-68<br>12-30-65<br>2-23-66<br>1-17-66<br>2-23-66 | 6- 3-68<br>7-29-68<br>4- 7-66<br>8- 5-68<br>4- 7-66<br>8- 5-68 | Union          | 11- 6-68   | 11- 6-68                     | 12-13-68                 | Union             | Negotiation                              | 5-29-67<br>6-14-67             |  |  |
| 10-22-68  | 11-20-68   |                |  |                              |                          |                   |  | Union                          | 12-20-68   | 12-27-68   |
| 10-31-68  | 11-26-68   | Unions         | 1-10-69  | 1-13-69                      | 2-12-69                  | Unions            | Mediation                                | 4- 4-69                        | 7-29-68<br>to<br>11- 6-68<br>11- 6-68<br>to<br>11- 7-68  | 4- 8-69<br>to<br>4-12-69<br>1-13-69                  |
| 10-15-68  | 11-25-68   | Unions         | 1-10-69  | 1-13-69                      | 2-12-69                  | Unions            | Negotiation                              | 4-13-69<br>2- 8-69<br>May '69  |  |  |
| 9-24-68   | 12- 2-68   | Union          | 1- 2-69  | 1-13-69                      | 3- 7-69                  | Union             | Mediation                                | 7- 3-69<br>3-11-70             |  |  |

<sup>17</sup> IAM, IBBISB, IBBDF, SMWIA, IBEW, MMP, NMEB, HREU, BRC(A), IBFO, BRSC, BMW, ORT, BRS, ILA.

<sup>18</sup> On national basis.

<sup>19</sup> IAM, IBBIS, SMWIA, IBEW, BRC(A), IBFO, BRSC, BMW, ORT, BRS, NMEB, ILA.

<sup>20</sup> Did not appear to have bargained.

<sup>21</sup> Impasse reached almost immediately.

<sup>22</sup> New York Central; New Haven and Hartford; Brooklyn East District Terminal; Jay Street Connecting Railroad; New York Dock Railway; Bush Terminal; Baltimore and Ohio; Pennsylvania; Erie; Reading; Delaware, Lackawanna and Western; Central Railroad of New Jersey.

<sup>23</sup> Six shopcraft (IAM, BB, SWMIA, IBEW, BRCA, IBFO) plus BRSC, BMW, ORT, BRS, and HREU.

<sup>24</sup> IAM, BB, SMWIA.

<sup>25</sup> Baltimore and Ohio; Brooklyn Eastern District Terminal; Bush Terminal; Central Railroad of New Jersey; Erie-Lackawanna; Lehigh Valley; New

York Central; New York Dock Railway; New York, New Haven and Hartford; Pennsylvania; and Reading.

<sup>26</sup> MMP, NMEB, SIU.

<sup>27</sup> Six shopcraft.

<sup>28</sup> See footnote 7.

<sup>29</sup> Six shopcraft, BRSC, BMW, ORT, BRS, HREU.

<sup>30</sup> BRS, BMW, ORT, HREU, BRS (except wages).

<sup>31</sup> The carrier in the first case, and the union in the second.

<sup>32</sup> Only case A-8478 Sub. 1 used.

NOTE: FEC and union representatives terminated the dispute precipitating Emergency Board No. 157 on Dec. 19, 1971, under a plan preliminarily approved by a Federal judge.

SOURCES: National Mediation Board case files, National Mediation Board Annual Reports, Presidential emergency board reports, and Bureau of Labor Statistics data.

**Table A-6. Railroad work stoppages, by duration and size of unit and group of workers, calendar years 1950-69**  
**Workers and man-days in thousands**

| Year                 | Number of work stoppages | Number of workers involved | Size of unit and group of workers |                     |                        |      |                           |                        |      |
|----------------------|--------------------------|----------------------------|-----------------------------------|---------------------|------------------------|------|---------------------------|------------------------|------|
|                      |                          |                            | Man-days idle                     | Under 100 workers   |                        |      | 100 and under 500 workers |                        |      |
|                      |                          |                            |                                   | Operating employees | Nonoperating employees | Both | Operating employees       | Nonoperating employees | Both |
| 1950-69 <sup>1</sup> | 316                      | 1,429.8                    | 8,418.6                           | 50                  | 26                     | 3    | 67                        | 35                     | 5    |
| 1950                 | 17                       | 260.9                      | 1,450.3                           | 2                   | 1                      | —    | 4                         | 1                      | —    |
| 1951                 | 17                       | 75.9                       | 466.7                             | 5                   | 1                      | 2    | 1                         | 2                      | —    |
| 1952                 | 15                       | 48.5                       | 265.1                             | 2                   | 2                      | —    | 3                         | 1                      | 2    |
| 1953                 | 23                       | 15.6                       | 197.8                             | 3                   | 2                      | —    | 6                         | 2                      | —    |
| 1954                 | 10                       | 3.9                        | 37.0                              | 3                   | 1                      | —    | 2                         | —                      | —    |
| 1955                 | 20                       | 40.2                       | 1,059.2                           | 4                   | 1                      | —    | 3                         | 1                      | —    |
| 1956                 | 14                       | 7.2                        | 47.2                              | 1                   | —                      | —    | 4                         | 4                      | 1    |
| 1957                 | 15                       | 16.6                       | 494.1                             | 2                   | 1                      | —    | 6                         | —                      | —    |
| 1958                 | 11                       | 3.3                        | 3.6                               | 1                   | 1                      | —    | 5                         | 2                      | —    |
| 1959                 | 10                       | 7.8                        | 69.4                              | 1                   | —                      | —    | 2                         | 1                      | 1    |
| 1960                 | 16                       | 100.9                      | 759.4                             | 1                   | 2                      | —    | 2                         | 3                      | —    |
| 1961                 | 9                        | 24.3                       | 169.0                             | 3                   | 1                      | —    | 2                         | 1                      | 1    |
| 1962                 | 4                        | 15.7                       | 391.3                             | 1                   | —                      | 1    | 1                         | —                      | —    |
| 1963                 | 8                        | 3.0                        | 481.7                             | 2                   | 1                      | —    | 1                         | 3                      | —    |
| 1964                 | 27                       | 46.0                       | 604.4                             | 5                   | 4                      | —    | 7                         | —                      | —    |
| 1965                 | 19                       | 46.8                       | 428.2                             | 5                   | —                      | —    | 2                         | 3                      | —    |
| 1966                 | 23                       | 130.0                      | 371.5                             | 4                   | 1                      | —    | 7                         | 3                      | —    |
| 1967                 | 28                       | 481.1                      | 686.7                             | 2                   | 5                      | —    | 3                         | 6                      | —    |
| 1968                 | 19                       | 63.9                       | 318.7                             | 2                   | 2                      | —    | 4                         | 2                      | —    |
| 1969                 | 11                       | 38.3                       | 117.4                             | 1                   | —                      | —    | 2                         | —                      | —    |

|                      | 500 and under 1,000 workers |                        |      | 1,000 and under 10,000 workers |                        |      | 10,000 workers and over |                        |      | Mean <sup>2</sup> duration (in calendar days) |
|----------------------|-----------------------------|------------------------|------|--------------------------------|------------------------|------|-------------------------|------------------------|------|---|
|                      | Operating employees         | Nonoperating employees | Both | Operating employees            | Nonoperating employees | Both | Operating employees     | Nonoperating employees | Both |   |
| 1950-69 <sup>1</sup> | 23                          | 15                     | 6    | 40                             | 25                     | 4    | 12                      | 5                      | —    | 13.0  |
| 1950                 | 3                           | —                      | 1    | 2                              | 1                      | —    | 2                       | —                      | —    | 4.8   |
| 1951                 | 1                           | 1                      | —    | 2                              | —                      | 1    | 1                       | —                      | —    | 11.2  |
| 1952                 | —                           | —                      | —    | 2                              | 1                      | 1    | 1                       | —                      | —    | 23.0  |
| 1953                 | 1                           | 1                      | 1    | 3                              | 4                      | —    | —                       | —                      | —    | 13.4  |
| 1954                 | —                           | 3                      | —    | 1                              | —                      | —    | —                       | —                      | —    | 6.5   |
| 1955                 | 2                           | 1                      | 1    | 4                              | 1                      | 1    | —                       | 1                      | —    | 10.8  |
| 1956                 | —                           | 1                      | 1    | 1                              | 1                      | —    | —                       | —                      | —    | 11.4  |
| 1957                 | 2                           | 1                      | —    | —                              | 2                      | 1    | —                       | —                      | —    | 12.1  |
| 1958                 | 1                           | —                      | —    | 1                              | —                      | —    | —                       | —                      | —    | 1.5   |
| 1959                 | 2                           | —                      | 1    | 1                              | 1                      | —    | —                       | —                      | —    | 14.5  |
| 1960                 | 1                           | —                      | —    | 5                              | 1                      | —    | —                       | —                      | —    | 9.3   |
| 1961                 | —                           | —                      | —    | —                              | —                      | —    | —                       | 1                      | —    | <sup>3</sup> 48.7                             |
| 1962                 | —                           | —                      | —    | —                              | —                      | —    | 1                       | —                      | —    | 11.0  |
| 1963                 | —                           | —                      | —    | —                              | 1                      | —    | —                       | —                      | —    | <sup>4</sup> 128.1                            |
| 1964                 | 3                           | 1                      | 1    | 3                              | 1                      | —    | 2                       | —                      | —    | 5.0   |
| 1965                 | 1                           | —                      | —    | 7                              | —                      | —    | —                       | 1                      | —    | 1.9   |
| 1966                 | 2                           | —                      | —    | 3                              | 2                      | —    | 1                       | —                      | —    | 5.1   |
| 1967                 | —                           | 4                      | —    | 3                              | 4                      | —    | —                       | 1                      | —    | 8.6   |
| 1968                 | 2                           | 1                      | —    | 1                              | 3                      | —    | 2                       | —                      | —    | 8.1   |
| 1969                 | 2                           | 1                      | —    | 1                              | 2                      | —    | 2                       | —                      | —    | 5.5   |

<sup>1</sup> Because of rounding, sums of individual items may not equal totals.

<sup>2</sup> Figures are simple averages; each stoppage is given equal weight regardless of size.

<sup>3</sup> Includes one 392-day stoppage.

<sup>4</sup> Includes one 999-day stoppage.

NOTE: Dashes denote zeros.

SOURCE: Bureau of Labor Statistics.

**Table A-7. Major Issues Involved in Railroad Work Stoppages, Calendar Years 1950-69**

[Workers and man-days of idleness in thousands]

| Year                 | General wage changes |                            |               | Supplementary benefits |                            |               | Wage adjustments    |                            |               | Other contractual matters |                            |               | Job security        |                            |               |
|----------------------|----------------------|----------------------------|---------------|------------------------|----------------------------|---------------|---------------------|----------------------------|---------------|---------------------------|----------------------------|---------------|---------------------|----------------------------|---------------|
|                      | Number of stoppages  | Number of workers involved | Man-days idle | Number of stoppages    | Number of workers involved | Man-days idle | Number of stoppages | Number of workers involved | Man-days idle | Number of stoppages       | Number of workers involved | Man-days idle | Number of stoppages | Number of workers involved | Man-days idle |
| 1950-69 <sup>1</sup> | 70                   | 778.0                      | 4,572.1       | 4                      | 27.6                       | 1,008.3       | 37                  | 27.6                       | 188.8         | 1                         | 0.8                        | 0.8           | 65                  | 430.7                      | 2,035.7       |
| 1950                 | 8                    | 83.2                       | 672.3         | 1                      | 0.7                        | 2.8           | 1                   | (?)                        | (?)           | —                         | —                          | —             | 4                   | 176.6                      | 774.3         |
| 1951                 | 9                    | 72.4                       | 445.6         | —                      | —                          | —             | 4                   | 1.0                        | 7.3           | —                         | —                          | —             | —                   | —                          | —             |
| 1952                 | 5                    | 42.5                       | 208.1         | —                      | —                          | —             | 3                   | 0.4                        | 2.9           | —                         | —                          | —             | 1                   | 0.1                        | 0.3           |
| 1953                 | 5                    | 3.2                        | 96.2          | —                      | —                          | —             | 7                   | 4.7                        | 77.0          | —                         | —                          | —             | 2                   | 0.6                        | 4.9           |
| 1954                 | —                    | —                          | —             | —                      | —                          | —             | 2                   | 1.5                        | 31.6          | —                         | —                          | —             | 5                   | 0.7                        | 1.1           |
| 1955                 | 7                    | 2.6                        | 15.6          | 1                      | 23.9                       | 1,002.5       | 4                   | 3.2                        | 11.6          | —                         | —                          | —             | 3                   | 2.0                        | 2.0           |
| 1956                 | 3                    | 1.1                        | 22.5          | —                      | —                          | —             | 3                   | 3.5                        | 12.0          | —                         | —                          | —             | 2                   | 1.5                        | 1.7           |
| 1957                 | 5                    | 13.5                       | 490.6         | —                      | —                          | —             | 1                   | 0.1                        | 0.2           | —                         | —                          | —             | 3                   | 1.4                        | 1.4           |
| 1958                 | —                    | —                          | —             | —                      | —                          | —             | 1                   | (?)                        | 0.1           | —                         | —                          | —             | 8                   | 2.0                        | 2.2           |
| 1959                 | 1                    | 0.6                        | 47.6          | —                      | —                          | —             | 1                   | 0.8                        | 0.8           | —                         | —                          | —             | 3                   | 3.4                        | 16.0          |
| 1960                 | 5                    | 11.7                       | 193.2         | —                      | —                          | —             | 2                   | 6.0                        | 35.5          | —                         | —                          | —             | 4                   | 72.6                       | 504.6         |
| 1961                 | 3                    | 23.5                       | 237.6         | —                      | —                          | —             | —                   | —                          | —             | —                         | —                          | —             | 2                   | 0.1                        | 0.1           |
| 1962                 | —                    | —                          | —             | —                      | —                          | —             | —                   | —                          | —             | —                         | —                          | —             | 1                   | 15.3                       | 320.7         |
| 1963                 | 1                    | 2.0                        | 1,371.9       | —                      | —                          | —             | —                   | —                          | —             | —                         | —                          | —             | 3                   | 0.4                        | 0.4           |
| 1964                 | 4                    | 23.7                       | 57.1          | —                      | —                          | —             | 1                   | 0.2                        | 3.2           | —                         | —                          | —             | 11                  | 17.8                       | 19.8          |
| 1965                 | 4                    | 32.0                       | 33.7          | 2                      | 3.0                        | 3.0           | —                   | —                          | —             | —                         | —                          | —             | 3                   | 0.5                        | 1.1           |
| 1966                 | 1                    | (?)                        | (?)           | —                      | —                          | —             | 2                   | 4.1                        | 4.1           | —                         | —                          | —             | 5                   | 119.0                      | 349.9         |
| 1967                 | 5                    | 461.1                      | 659.4         | —                      | —                          | —             | 1                   | 0.9                        | 0.9           | —                         | —                          | —             | 3                   | 3.6                        | 4.7           |
| 1968                 | 1                    | 1.2                        | 1.2           | —                      | —                          | —             | 4                   | 1.2                        | 1.7           | 1                         | 0.8                        | 0.8           | 1                   | 13.0                       | 26.0          |
| 1969                 | 3                    | 3.7                        | 19.5          | —                      | —                          | —             | —                   | —                          | —             | —                         | —                          | —             | 1                   | 0.6                        | 4.6           |

| Year                 | Union organization and security |                            |               | Plant administration |                            |               | Interunion or intraunion matters |                            |               | Other working conditions |                            |               |
|----------------------|---------------------------------|----------------------------|---------------|----------------------|----------------------------|---------------|----------------------------------|----------------------------|---------------|--------------------------|----------------------------|---------------|
|                      | Number of stoppages             | Number of workers involved | Man-days idle | Number of stoppages  | Number of workers involved | Man-days idle | Number of stoppages              | Number of workers involved | Man-days idle | Number of stoppages      | Number of workers involved | Man-days idle |
| 1950-69 <sup>1</sup> | 4                               | 2.9                        | 50.7          | 116                  | 153.2                      | 546.8         | 14                               | 7.4                        | 12.5          | 4                        | 1.4                        | 2.5           |
| 1950                 | 1                               | 0.3                        | 0.3           | 2                    | 0.4                        | 0.5           | —                                | —                          | —             | —                        | —                          | —             |
| 1951                 | —                               | —                          | —             | 4                    | 2.4                        | 14.4          | —                                | —                          | —             | —                        | —                          | —             |
| 1952                 | —                               | 1.4                        | 48.8          | 3                    | 2.3                        | 4.2           | 2                                | 1.8                        | 2.0           | —                        | —                          | —             |
| 1953                 | —                               | —                          | —             | 9                    | 7.1                        | 18.0          | —                                | —                          | —             | —                        | —                          | —             |
| 1954                 | —                               | —                          | —             | 2                    | 1.1                        | 2.4           | 1                                | 0.6                        | 1.9           | —                        | —                          | —             |
| 1955                 | —                               | —                          | —             | 5                    | 8.5                        | 27.5          | —                                | —                          | —             | —                        | —                          | —             |
| 1956                 | —                               | —                          | —             | 5                    | 1.0                        | 10.6          | —                                | —                          | —             | —                        | —                          | —             |
| 1957                 | —                               | —                          | —             | 6                    | 1.7                        | 2.1           | —                                | —                          | —             | —                        | —                          | —             |
| 1958                 | 1                               | 1.0                        | 1.0           | 1                    | 0.2                        | 0.2           | —                                | —                          | —             | —                        | —                          | —             |
| 1959                 | —                               | —                          | —             | 4                    | 2.4                        | 6.6           | 1                                | 0.6                        | 1.1           | —                        | —                          | —             |
| 1960                 | —                               | —                          | —             | 4                    | 10.6                       | 23.4          | 1                                | (?)                        | (?)           | —                        | —                          | —             |
| 1961                 | —                               | —                          | —             | 4                    | 0.6                        | 1.3           | —                                | —                          | —             | —                        | —                          | —             |
| 1962                 | —                               | —                          | —             | 2                    | 0.4                        | 0.4           | 1                                | 0.1                        | 0.2           | —                        | —                          | —             |
| 1963                 | —                               | —                          | —             | 4                    | 0.6                        | 1.8           | —                                | —                          | —             | —                        | —                          | —             |
| 1964                 | —                               | —                          | —             | 8                    | 3.6                        | 9.6           | 3                                | 0.7                        | 0.7           | —                        | —                          | —             |
| 1965                 | —                               | —                          | —             | 9                    | 11.3                       | 11.8          | —                                | —                          | —             | 1                        | (?)                        | (?)           |
| 1966                 | —                               | —                          | —             | 11                   | 4.1                        | 12.6          | 3                                | 1.9                        | 3.4           | 1                        | 0.7                        | 1.5           |
| 1967                 | —                               | —                          | —             | 16                   | 13.3                       | 17.9          | 2                                | 1.7                        | 3.0           | 1                        | 0.4                        | 0.8           |
| 1968                 | 1                               | 0.2                        | 0.6           | 11                   | 47.6                       | 288.6         | —                                | —                          | —             | —                        | —                          | —             |
| 1969                 | —                               | —                          | —             | 6                    | 33.8                       | 93.0          | —                                | —                          | —             | 1                        | 0.2                        | 0.2           |

<sup>1</sup> Because of rounding, sums of individual items may not equal totals.

NOTE: Dashes denotes zeros.

<sup>2</sup> Less than 50.

SOURCE: Bureau of Labor Statistics.

**Table A-8. Railroad work stoppages, by duration and major group of workers, selected periods, calendar years 1950-69**

| Period and major group of workers          | All stoppages<br>Number | Duration of stoppages |             |             |                  |               |               |                  |                  |                   | Average per stoppage |
|--|-------------------------|-----------------------|-------------|-------------|------------------|---------------|---------------|------------------|------------------|-------------------|----------------------|
|  |                         | 1 day                 | 2 to 3 days | 4 to 6 days | 7 to 14 days     | 15 to 29 days | 30 to 59 days | 60 to 89 days    | 90 days and over |                   |                      |
| <b>Number of Stoppages</b>                 |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| <b>1950-54</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All stoppages                              | 82                      | 17                    | 19          | 15          | 14               | 9             | 4             | 1                | 3                | <sup>1</sup> 21.1 |                      |
| Operating employees                        | 50                      | 12                    | 11          | 10          | 9                | 5             | 2             | 1                |                  |                   |                      |
| Nonoperating employees                     | 24                      | 5                     | 6           | 3           | 3                | 3             | 2             |                  | 2                |                   |                      |
| Both                                       | 8                       |                       | 2           | 2           | 2                | 1             |               |                  | 1                |                   |                      |
| <b>1955-59</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All stoppages                              | 70                      | 24                    | 22          | 7           | 5                | 4             | 6             | 1                | 1                | <sup>1</sup> 10.3 |                      |
| Operating employees                        | 43                      | 19                    | 14          | 4           | 2                | 1             | 3             |                  |                  |                   |                      |
| Nonoperating employees                     | 20                      | 5                     | 5           | 3           | 2                | 3             | 1             | 1                |                  |                   |                      |
| Both                                       | 7                       |                       | 3           |             | 1                |               | 2             |                  | 1                |                   |                      |
| <b>1960-64</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All stoppages                              | 64                      | 33                    | 11          | 1           | 9                | 3             | 5             |                  | 2                | <sup>1</sup> 28.0 |                      |
| Operating employees                        | 40                      | 18                    | 9           |             | 6                | 2             | 4             |                  | 1                |                   |                      |
| Nonoperating employees                     | 21                      | 14                    | 2           | 1           | 2                | 1             | 0             |                  | 1                |                   |                      |
| Both                                       | 3                       | 1                     |             |             | 1                |               | 1             |                  |                  |                   |                      |
| <b>1965-69</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All stoppages                              | 100                     | 54                    | 24          | 11          | 5                | 2             |               | 2                | 2                | <sup>1</sup> 6.1  |                      |
| Operating employees                        | 59                      | 35                    | 12          | 6           |                  | 2             |               | 2                | 2                |                   |                      |
| Nonoperating employees                     | 41                      | 19                    | 12          | 5           | 5                |               |               |                  |                  |                   |                      |
| Both                                       |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| <b>1950-69</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All stoppages                              | 316                     | 128                   | 76          | 34          | 33               | 18            | 15            | 4                | 8                | <sup>1</sup> 13.0 |                      |
| Operating employees                        | 192                     | 84                    | 46          | 20          | 17               | 10            | 9             | 3                | 3                | <sup>1</sup> 10.0 |                      |
| Nonoperating employees                     | 106                     | 43                    | 25          | 12          | 12               | 7             | 3             | 1                | 3                | <sup>1</sup> 16.6 |                      |
| Both                                       | 18                      | 1                     | 5           | 2           | 4                | 1             | 3             |                  | 2                | <sup>1</sup> 23.3 |                      |
| <b>Workers involved [in thousands]</b>     |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| <b>1950-54</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All workers                                | 404.8                   | 5.5                   | 19.4        | 53.9        | 307.9            | 10.5          | 3.5           | ( <sup>2</sup> ) | 4.1              | <sup>3</sup> 4.9  |                      |
| Operating employees                        | 382.9                   | 3.9                   | 15.1        | 52.5        | 306.5            | 1.9           | 2.9           | ( <sup>2</sup> ) |                  |                   |                      |
| Nonoperating employees                     | 17.4                    | 1.5                   | 4.0         | .7          | .7               | 7.2           | .6            |                  | 2.7              |                   |                      |
| Both                                       | 4.5                     |                       | .3          | .7          | .7               | 1.4           |               |                  | 1.4              |                   |                      |
| <b>1955-59</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All workers                                | 75.0                    | 10.1                  | 6.7         | 10.3        | 13.2             | .9            | 26.2          | 7.2              | .6               | <sup>3</sup> 1.1  |                      |
| Operating employees                        | 25.1                    | 7.6                   | 4.6         | 6.4         | 5.5              | .3            | .6            |                  |                  |                   |                      |
| Nonoperating employees                     | 45.7                    | 2.5                   | 1.2         | 3.9         | 6.6              | .6            | 23.9          | 7.2              |                  |                   |                      |
| Both                                       | 4.3                     |                       | .9          |             | 1.0              |               | 1.7           |                  | .6               |                   |                      |
| <b>1960-64</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All workers                                | 189.9                   | 24.9                  | 23.8        | 9.8         | 103.4            | 6.3           | 19.3          |                  | 2.4              | <sup>3</sup> 3.0  |                      |
| Operating employees                        | 78.1                    | 21.0                  | 23.1        |             | 8.4              | 6.2           | 19.1          |                  | .4               |                   |                      |
| Nonoperating employees                     | 110.9                   | 3.3                   | .8          | 9.8         | 95.0             | .1            |               |                  | 2.0              |                   |                      |
| Both                                       | .8                      | .6                    |             |             | ( <sup>2</sup> ) |               | .2            |                  |                  |                   |                      |
| <b>1965-69</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All workers                                | 760.1                   | 39.6                  | 454.5       | 175.3       | 8.4              | .7            |               | .2               | 1.3              | <sup>3</sup> 7.6  |                      |
| Operating employees                        | 240.6                   | 49.5                  | 16.0        | 172.9       |                  | .7            |               | .2               | 1.3              |                   |                      |
| Nonoperating employees                     | 519.4                   | 40.0                  | 468.4       | 2.6         | 8.4              |               |               |                  |                  |                   |                      |
| Both                                       |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| <b>1950-69</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All workers                                | 1,429.8                 | 130.0                 | 534.4       | 249.5       | 432.9            | 18.3          | 49.0          | 7.4              | 8.3              | <sup>3</sup> 4.5  |                      |
| Operating employees                        | 726.7                   | 82.1                  | 58.7        | 231.9       | 320.4            | 9.1           | 22.6          | .3               | 1.6              | <sup>3</sup> 3.8  |                      |
| Nonoperating employees                     | 693.5                   | 47.4                  | 474.4       | 16.9        | 110.7            | 7.9           | 24.5          | 7.2              | 4.7              | <sup>3</sup> 6.5  |                      |
| Both                                       | 9.6                     | .6                    | 1.2         | .8          | 1.8              | 1.4           | 1.9           |                  | 2.0              | <sup>3</sup> .5   |                      |
| <b>Man-days of idleness [in thousands]</b> |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| <b>1950-54</b>                             |                         |                       |             |             |                  |               |               |                  |                  |                   |                      |
| All man-days                               | 2,416.9                 | 5.5                   | 42.7        | 168.6       | 1,752.1          | 151.0         | 93.9          | 2.4              | 200.9            | <sup>4</sup> 29.5 |                      |
| Operating employees                        | 2,057.9                 | 3.9                   | 34.5        | 163.7       | 1,742.5          | 39.1          | 71.8          | 2.4              |                  |                   |                      |
| Nonoperating employees                     | 289.7                   | 1.5                   | 7.6         | 2.0         | 2.8              | 101.5         | 22.1          |                  | 152.2            |                   |                      |
| Both                                       | 69.3                    |                       | .6          | 2.9         | 6.7              | 10.4          |               |                  | 48.8             |                   |                      |

**Table A-8. Railroad work stoppages by duration and major group of workers, selected periods, calendar years 1950-69—Continued**

| Period and major group of workers             | All stoppages<br>Number | Duration of stoppages |             |             |              |               |               |               |                  |                      |
|---|-------------------------|-----------------------|-------------|-------------|--------------|---------------|---------------|---------------|------------------|----------------------|
|   |                         | 1 day                 | 2 to 3 days | 4 to 6 days | 7 to 14 days | 15 to 29 days | 30 to 59 days | 60 to 89 days | 90 days and over | Average per stoppage |
| Man-days of idleness [in thousands]—Continued |                         |                       |             |             |              |               |               |               |                  |                      |
| <b>1955-59</b>                                |                         |                       |             |             |              |               |               |               |                  |                      |
| All man-days .....                            | <sup>5</sup> 1,673.5    | 10.1                  | 11.9        | 40.1        | 67.8         | 13.2          | 1,059.1       | 426.3         | 47.6             | <sup>4</sup> 23.9    |
| Operating employees .....                     | 79.9                    | 7.6                   | 8.4         | 23.2        | 18.3         | 4.4           | 18.1          | -----         | -----            | -----                |
| Nonoperating employees .....                  | 1,498.6                 | 2.5                   | 2.2         | 17.0        | 39.2         | 8.8           | 1,002.5       | 426.3         | -----            | -----                |
| Both .....                                    | 97.6                    | -----                 | 1.2         | -----       | 10.3         | -----         | 38.5          | -----         | 47.6             | -----                |
| <b>1960-64</b>                                |                         |                       |             |             |              |               |               |               |                  |                      |
| All man-days .....                            | <sup>6</sup> 2,405.6    | 24.9                  | 48.5        | 10.2        | 689.6        | 136.4         | 404.6         | -----         | 1,467.5          | <sup>4</sup> 37.6    |
| Operating employees .....                     | 746.0                   | 21.0                  | 46.4        | -----       | 48.8         | 135.2         | 399.1         | -----         | 95.5             | -----                |
| Nonoperating employees .....                  | 2,029.2                 | 3.3                   | 2.1         | 10.2        | 640.5        | 1.2           | -----         | -----         | 1,371.9          | -----                |
| Both .....                                    | 6.4                     | .6                    | -----       | -----       | .3           | -----         | 5.5           | -----         | -----            | -----                |
| <b>1965-69</b>                                |                         |                       |             |             |              |               |               |               |                  |                      |
| All man-days .....                            | <sup>7</sup> 1,922.5    | 89.6                  | 692.0       | 596.8       | 52.9         | 11.3          | -----         | 10.0          | 91.4             | <sup>4</sup> 19.2    |
| Operating employees .....                     | 786.0                   | 49.5                  | 31.7        | 592.1       | -----        | 11.3          | -----         | 10.0          | 91.4             | -----                |
| Nonoperating employees .....                  | 758.0                   | 40.0                  | 660.3       | 4.7         | 52.9         | -----         | -----         | -----         | -----            | -----                |
| Both .....                                    | -----                   | -----                 | -----       | -----       | -----        | -----         | -----         | -----         | -----            | -----                |
| <b>1950-69</b>                                |                         |                       |             |             |              |               |               |               |                  |                      |
| All man-days .....                            | 8,418.6                 | 130.0                 | 795.1       | 815.6       | 2,562.4      | 311.9         | 1,557.6       | 438.6         | 1,807.3          | <sup>4</sup> 26.6    |
| Operating employees .....                     | 3,669.8                 | 82.1                  | 121.1       | 778.9       | 1,809.6      | 189.9         | 489.0         | 12.4          | 186.9            | <sup>4</sup> 19.1    |
| Nonoperating employees .....                  | 4,575.5                 | 47.4                  | 672.2       | 33.8        | 735.5        | 111.6         | 1,024.6       | 426.3         | 1,524.1          | <sup>4</sup> 43.2    |
| Both .....                                    | 173.3                   | .6                    | 1.8         | 2.9         | 17.3         | 10.4          | 44.0          | -----         | 96.3             | <sup>4</sup> 9.6     |

<sup>1</sup> Average duration of the stoppages in the period.

<sup>2</sup> Less than 100.

<sup>3</sup> Average number of workers per stoppage in the period.

<sup>4</sup> Average number of man-days of idleness per stoppage in the period.

<sup>5</sup> Excludes a carry-over of 2,580 man-days, all due to operating employees' work stoppages.

<sup>6</sup> Includes a carry-over of 2,580 man-days from the 1955-59 period and excludes a carry-over of 378,562 man-days in the 1965-69 period.

<sup>7</sup> Includes a carry-over of 378,562 man-days from the 1960-64 period of which 8,000 were lost by operating crafts' unions and 370,562 by nonoperating crafts.

NOTES: Because of rounding, sums of individual items may not equal totals. Dashes denote zeros.

SOURCE: Bureau of Labor Statistics.

**Table A-9. Railroad work stoppages,<sup>1</sup> by major issue and group of workers, selected periods, calendar years 1950-69 (Workers and man-days idle in thousands)**

| Issues                                 | 1950-54   |         |                  |         |               |         | 1955-59   |         |                  |         |               |         |
|--|-----------|---------|------------------|---------|---------------|---------|-----------|---------|------------------|---------|---------------|---------|
|  | Stoppages |         | Workers involved |         | Man-days idle |         | Stoppages |         | Workers involved |         | Man-days idle |         |
|  | Number    | Percent | Number           | Percent | Number        | Percent | Number    | Percent | Number           | Percent | Number        | Percent |
| <b>Economic issues</b>                 |           |         |                  |         |               |         |           |         |                  |         |               |         |
| Wages .....                            | 27        | 32.9    | 201.3            | 49.7    | 1,422.2       | 58.8    | 16        | 23.2    | 17.7             | 23.7    | 576.2         | 34.4    |
| Operating employees .....              | 14        |         | 190.0            |         | 1,139.4       |         | 8         |         | 2.0              |         | 20.6          |         |
| Nonoperating employees .....           | 10        |         | 10.6             |         | 276.1         |         | 3         |         | 11.8             |         | 458.7         |         |
| Both .....                             | 3         |         | 0.8              |         | 6.8           |         | 5         |         | 3.9              |         | 97.0          |         |
| Supplementary benefits .....           | 1         | 1.2     | 0.7              | 0.2     | 2.8           | 0.1     | 1         | 1.4     | 23.9             | 31.9    | 1,002.5       | 59.8    |
| Operating employees .....              | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Nonoperating employees .....           | —         |         | —                |         | —             |         | 1         |         | 23.9             |         | 1,002.5       |         |
| Both .....                             | 1         |         | 0.7              |         | 2.8           |         | —         |         | —                |         | —             |         |
| Wage adjustments .....                 | 17        | 20.7    | 7.7              | 1.9     | 118.8         | 4.9     | 10        | 14.5    | 7.6              | 10.1    | 24.7          | 1.5     |
| Operating employees .....              | 13        |         | 5.7              |         | 113.4         |         | 5         |         | 6.0              |         | 19.2          |         |
| Nonoperating employees .....           | 3         |         | 1.9              |         | 5.1           |         | 5         |         | 1.6              |         | 5.5           |         |
| Both .....                             | 1         |         | .2               |         | .3            |         | —         |         | —                |         | —             |         |
| Total economic issues .....            | 45        | 54.9    | 209.7            | 51.8    | 1,543.8       | 63.9    | 27        | 39.1    | 49.2             | 65.7    | 1,603.5       | 95.7    |
| <b>Security issues</b>                 |           |         |                  |         |               |         |           |         |                  |         |               |         |
| Other contractual matters .....        | —         | —       | —                | —       | —             | —       | —         | —       | —                | —       | —             | —       |
| Operating employees .....              | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Nonoperating employees .....           | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Both .....                             | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Union organization and security .....  | 2         | 2.4     | 1.7              | 0.4     | 49.1          | 2.0     | 1         | 1.4     | 1.0              | 1.4     | 1.0           | 0.1     |
| Operating employees .....              | 1         |         | 0.3              |         | 0.3           |         | 1         |         | 1.0              |         | 1.0           |         |
| Nonoperating employees .....           | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Both .....                             | 1         |         | 1.4              |         | 48.8          |         | —         |         | —                |         | —             |         |
| Job security .....                     | 12        | 14.6    | 177.7            | 43.9    | 780.6         | 32.3    | 19        | 27.5    | 10.2             | 13.6    | 23.2          | 1.4     |
| Operating employees .....              | 9         |         | 176.9            |         | 779.4         |         | 11        |         | 4.1              |         | 4.1           |         |
| Nonoperating employees .....           | 2         |         | 0.7              |         | 0.9           |         | 7         |         | 6.0              |         | 18.9          |         |
| Both .....                             | 1         |         | 0.1              |         | 0.3           |         | 1         |         | 0.2              |         | 0.3           |         |
| Plant administration .....             | 20        | 24.4    | 13.2             | 3.3     | 39.6          | 1.6     | 21        | 30.4    | 13.9             | 18.6    | 46.9          | 2.8     |
| Operating employees .....              | 12        |         | 8.2              |         | 23.5          |         | 17        |         | 11.4             |         | 34.0          |         |
| Nonoperating employees .....           | 7         |         | 3.6              |         | 5.7           |         | 4         |         | 2.5              |         | 12.9          |         |
| Both .....                             | 1         |         | 1.4              |         | 10.4          |         | —         |         | —                |         | —             |         |
| Other working conditions .....         | —         | —       | —                | —       | —             | —       | —         | —       | —                | —       | —             | —       |
| Operating employees .....              | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Nonoperating employees .....           | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Both .....                             | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Intraunion or interunion matters ..... | 3         | 3.7     | 2.4              | 0.6     | 3.9           | 0.2     | 1         | 1.4     | 0.6              | 0.7     | 1.1           | 0.1     |
| Operating employees .....              | 1         |         | 1.8              |         | 2.0           |         | 1         |         | 0.6              |         | 1.1           |         |
| Nonoperating employees .....           | 2         |         | 0.6              |         | 1.9           |         | —         |         | —                |         | —             |         |
| Both .....                             | —         |         | —                |         | —             |         | —         |         | —                |         | —             |         |
| Total security issues .....            | 37        | 45.1    | 195.1            | 48.2    | 873.2         | 36.1    | 42        | 60.9    | 25.7             | 34.3    | 72.3          | 4.3     |

<sup>1</sup> Excludes one 2-day stoppage in 1956 for which no major issue was reported and which involved 186 workers and 372 man-days of idleness.

<sup>2</sup> Less than .05 percent.

| 1960-64   |         |                  |         |               |         | 1965-69   |         |                  |         |               |         | 1950-69 <sup>1</sup> |         |                  |         |               |         |
|-----------|---------|------------------|---------|---------------|---------|-----------|---------|------------------|---------|---------------|---------|----------------------|---------|------------------|---------|---------------|---------|
| Stoppages |         | Workers involved |         | Man-days idle |         | Stoppages |         | Workers involved |         | Man-days idle |         | Stoppages            |         | Workers involved |         | Man-days idle |         |
| Number    | Percent | Number           | Percent | Number        | Percent | Number    | Percent | Number           | Percent | Number        | Percent | Number               | Percent | Number           | Percent | Number        | Percent |
| 13        | 20.3    | 60.9             | 32.1    | 1,859.8       | 66.9    | 14        | 14.0    | 498.1            | 65.5    | 713.9         | 46.2    | 70                   | 22.2    | 778.0            | 54.4    | 4,572.1       | 54.3    |
| 9         |         | 33.9             |         | 344.0         |         | 7         |         | 34.8             |         | 48.5          |         | 38                   |         | 260.7            |         | 1,552.5       |         |
| 3         |         | 26.8             |         | 1,510.3       |         | 7         |         | 463.2            |         | 665.3         |         | 23                   |         | 512.4            |         | 2,910.4       |         |
| 1         |         | 0.2              |         | 5.5           |         | —         |         | —                |         | —             |         | 9                    |         | 4.9              |         | 109.3         |         |
| —         | —       | —                | —       | —             | —       | 2         | 2.0     | 3.0              | 0.4     | 3.0           | 0.2     | 4                    | 1.3     | 27.6             | 1.9     | 1,008.3       | 12.0    |
| —         | —       | —                | —       | —             | —       | 2         |         | 3.0              |         | 3.0           |         | 2                    |         | 3.0              |         | 3.0           |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | 1                    |         | 23.9             |         | 1,002.5       |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | 1                    |         | 0.7              |         | 2.8           |         |
| 3         | 4.7     | 6.1              | 3.2     | 38.7          | 1.4     | 7         | 7.0     | 6.2              | 0.8     | 6.6           | 0.4     | 37                   | 11.7    | 27.6             | 1.9     | 188.8         | 2.2     |
| 3         |         | 6.1              |         | 38.7          |         | 3         |         | 4.2              |         | 4.3           |         | 24                   |         | 22.0             |         | 175.6         |         |
| —         | —       | —                | —       | —             | —       | 4         |         | 2.0              |         | 2.3           |         | 12                   |         | 5.4              |         | 12.9          |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | 1                    |         | 0.2              |         | 0.3           |         |
| 16        | 25.0    | 67.1             | 35.3    | 1,898.5       | 68.3    | 23        | 23.0    | 507.2            | 66.7    | 723.5         | 46.9    | 111                  | 35.2    | 833.2            | 58.3    | 5,769.3       | 68.5    |
| —         | —       | —                | —       | —             | —       | 1         | 1.0     | 0.8              | 0.1     | 0.8           | (?)     | 1                    | 0.3     | 0.8              | 0.1     | 0.8           | (?)     |
| —         | —       | —                | —       | —             | —       | 1         |         | 0.8              |         | 0.8           |         | 1                    |         | 0.8              |         | 0.8           |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | —                    |         | —                |         | —             |         |
| —         | —       | —                | —       | —             | —       | 1         | 1.0     | 0.2              | (?)     | 0.6           | (?)     | 4                    | 1.3     | 2.9              | 0.2     | 50.7          | 0.6     |
| —         | —       | —                | —       | —             | —       | 1         |         | 0.2              |         | 0.6           |         | 3                    |         | 1.5              |         | 1.9           |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | —                    |         | —                |         | —             |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | 1                    |         | 1.4              |         | 48.8          |         |
| 21        | 32.8    | 106.2            | 55.9    | 845.5         | 30.4    | 13        | 13.0    | 136.7            | 18.0    | 386.3         | 25.0    | 65                   | 20.6    | 430.7            | 30.1    | 2,035.7       | 24.2    |
| 13        |         | 18.1             |         | 20.1          |         | 7         |         | 134.3            |         | 378.2         |         | 40                   |         | 333.4            |         | 1,181.8       |         |
| 8         |         | 88.0             |         | 825.4         |         | 6         |         | 2.4              |         | 8.1           |         | 23                   |         | 97.0             |         | 853.3         |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | 2                    |         | 0.3              |         | 0.6           |         |
| 22        | 34.4    | 15.9             | 8.4     | 36.5          | 1.3     | 53        | 53.0    | 110.2            | 14.5    | 423.9         | 27.5    | 116                  | 36.8    | 153.2            | 10.7    | 546.9         | 6.5     |
| 14        |         | 4.6              |         | 22.5          |         | 34        |         | 90.6             |         | 376.7         |         | 77                   |         | 114.8            |         | 456.7         |         |
| 8         |         | 11.2             |         | 14.0          |         | 19        |         | 19.6             |         | 47.2          |         | 38                   |         | 37.0             |         | 79.8          |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | 1                    |         | 1.4              |         | 10.4          |         |
| —         | —       | —                | —       | —             | —       | 4         | 4.0     | 1.4              | 0.2     | 2.5           | 0.2     | 4                    | 1.3     | 1.4              | 0.1     | 2.5           | (?)     |
| —         | —       | —                | —       | —             | —       | 4         |         | 1.4              |         | 2.5           |         | 4                    |         | 1.4              |         | 2.5           |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | —                    |         | —                |         | —             |         |
| —         | —       | —                | —       | —             | —       | —         |         | —                |         | —             |         | —                    |         | —                |         | —             |         |
| 5         | 7.8     | 0.8              | 0.4     | 1.0           | (?)     | 5         | 5.0     | 3.6              | 0.5     | 6.4           | 0.4     | 14                   | 4.4     | 7.4              | 0.5     | 12.5          | 0.1     |
| —         | —       | —                | —       | —             | —       | 1         |         | 0.4              |         | 0.4           |         | 3                    |         | 2.7              |         | 3.5           |         |
| 3         |         | 0.2              |         | 0.2           |         | 4         |         | 3.2              |         | 6.0           |         | 9                    |         | 4.0              |         | 8.1           |         |
| 2         |         | 0.6              |         | 0.8           |         | —         |         | —                |         | —             |         | 2                    |         | 0.6              |         | 0.8           |         |
| 48        | 75.0    | 122.8            | 64.7    | 883.0         | 31.7    | 77        | 77.0    | 252.9            | 33.3    | 820.5         | 53.1    | 204                  | 64.8    | 596.5            | 41.7    | 2,648.9       | 31.5    |

NOTE: Because of rounding, sums of individual items may not equal totals.

SOURCE: Bureau of Labor Statistics.

Table A-10. Duration of railroad work stoppages, by major issue, selected periods, calendar years 1950-69

| Duration in period (in calendar days) | Number of stoppages | Major issue |                  |                        |                                 |              |                      |                          |                           |                                  |
|---------------------------------------|---------------------|-------------|------------------|------------------------|---------------------------------|--------------|----------------------|--------------------------|---------------------------|----------------------------------|
|                                       |                     | Wages       | Wage adjustments | Supplementary benefits | Union organization and security | Job security | Plant administration | Other working conditions | Other contractual matters | Intraunion or interunion matters |
| 1950-54                               | 82                  | 27          | 17               | 1                      | 2                               | 12           | 20                   | —                        | —                         | 3                                |
| 1 day                                 | 17                  | 3           | 2                | —                      | 1                               | 4            | 7                    | —                        | —                         | —                                |
| 2 to 3                                | 19                  | 5           | 3                | —                      | —                               | 3            | 7                    | —                        | —                         | 1                                |
| 4 to 6                                | 15                  | 4           | 3                | 1                      | —                               | 2            | 3                    | —                        | —                         | 2                                |
| 7 to 14                               | 14                  | 8           | 3                | —                      | —                               | 1            | 2                    | —                        | —                         | —                                |
| 15 to 29                              | 9                   | 3           | 3                | —                      | —                               | 2            | 1                    | —                        | —                         | —                                |
| 30 to 59                              | 4                   | 2           | 2                | —                      | —                               | —            | —                    | —                        | —                         | —                                |
| 60 to 89                              | 1                   | —           | 1                | —                      | —                               | —            | —                    | —                        | —                         | —                                |
| 90 & over                             | 3                   | 2           | —                | —                      | 1                               | —            | —                    | —                        | —                         | —                                |
| 1955-59                               | <sup>1</sup> 70     | 16          | 10               | 1                      | 1                               | 19           | 21                   | —                        | —                         | 1                                |
| 1 day                                 | 24                  | 2           | 1                | —                      | 1                               | 11           | 9                    | —                        | —                         | —                                |
| 2 to 3                                | <sup>1</sup> 22     | 4           | 4                | —                      | —                               | 7            | 5                    | —                        | —                         | 1                                |
| 4 to 6                                | 7                   | —           | 4                | —                      | —                               | 1            | 2                    | —                        | —                         | —                                |
| 7 to 14                               | 5                   | 2           | —                | —                      | —                               | —            | 3                    | —                        | —                         | —                                |
| 15 to 29                              | 4                   | 1           | 1                | —                      | —                               | —            | 2                    | —                        | —                         | —                                |
| 30 to 59                              | 6                   | 5           | —                | 1                      | —                               | —            | —                    | —                        | —                         | —                                |
| 60 to 89                              | 1                   | 1           | —                | —                      | —                               | —            | —                    | —                        | —                         | —                                |
| 90 & over                             | 1                   | 1           | —                | —                      | —                               | —            | —                    | —                        | —                         | —                                |
| 1960-64                               | 64                  | 13          | 3                | —                      | —                               | 21           | 22                   | —                        | —                         | 5                                |
| 1 day                                 | 33                  | 2           | —                | —                      | —                               | 16           | 11                   | —                        | —                         | 4                                |
| 2 to 3                                | 11                  | 3           | 1                | —                      | —                               | 1            | 6                    | —                        | —                         | —                                |
| 4 to 6                                | 1                   | —           | —                | —                      | —                               | —            | 1                    | —                        | —                         | —                                |
| 7 to 14                               | 9                   | 2           | 1                | —                      | —                               | 3            | 2                    | —                        | —                         | 1                                |
| 15 to 29                              | 3                   | 1           | 1                | —                      | —                               | —            | 1                    | —                        | —                         | —                                |
| 30 to 59                              | 5                   | 3           | —                | —                      | —                               | 1            | 1                    | —                        | —                         | —                                |
| 60 to 89                              | —                   | —           | —                | —                      | —                               | —            | —                    | —                        | —                         | —                                |
| 90 & over                             | 2                   | 2           | —                | —                      | —                               | —            | —                    | —                        | —                         | —                                |
| 1965-69                               | 100                 | 14          | 7                | 2                      | 1                               | 13           | 53                   | 4                        | 1                         | 5                                |
| 1 day                                 | 54                  | 6           | 4                | 2                      | —                               | 6            | 30                   | 2                        | 1                         | 3                                |
| 2 to 3                                | 24                  | 3           | 2                | —                      | 1                               | 4            | 11                   | 1                        | —                         | 2                                |
| 4 to 6                                | 11                  | 2           | 1                | —                      | —                               | 2            | 5                    | 1                        | —                         | —                                |
| 7 to 14                               | 5                   | 2           | —                | —                      | —                               | 1            | 2                    | —                        | —                         | —                                |
| 15 to 29                              | 2                   | —           | —                | —                      | —                               | —            | 2                    | —                        | —                         | —                                |
| 30 to 59                              | —                   | —           | —                | —                      | —                               | —            | —                    | —                        | —                         | —                                |
| 60 to 89                              | 2                   | —           | —                | —                      | —                               | —            | 2                    | —                        | —                         | —                                |
| 90 & over                             | 2                   | 1           | —                | —                      | —                               | —            | 1                    | —                        | —                         | —                                |
| 1950-69                               | <sup>1</sup> 316    | 70          | 37               | 4                      | 4                               | 65           | 116                  | 4                        | 1                         | 14                               |
| 1 day                                 | 128                 | 13          | 7                | 2                      | 2                               | 37           | 57                   | 2                        | 1                         | 7                                |
| 2 to 3                                | <sup>1</sup> 76     | 15          | 10               | —                      | 1                               | 15           | 29                   | 1                        | —                         | 4                                |
| 4 to 6                                | 34                  | 6           | 8                | 1                      | —                               | 5            | 11                   | 1                        | —                         | 2                                |
| 7 to 14                               | 33                  | 14          | 4                | —                      | —                               | 5            | 9                    | —                        | —                         | 1                                |
| 15 to 29                              | 18                  | 5           | 5                | —                      | —                               | 2            | 6                    | —                        | —                         | —                                |
| 30 to 59                              | 15                  | 10          | 2                | 1                      | —                               | 1            | 1                    | —                        | —                         | —                                |
| 60 to 89                              | 4                   | 1           | 1                | —                      | —                               | —            | 2                    | —                        | —                         | —                                |
| 90 & over                             | 8                   | 6           | —                | —                      | 1                               | —            | 1                    | —                        | —                         | —                                |

<sup>1</sup> Includes one case for which no major issue was known.

SOURCE: Bureau of Labor Statistics.

NOTE: Dashes denotes zeros.

## Appendix B

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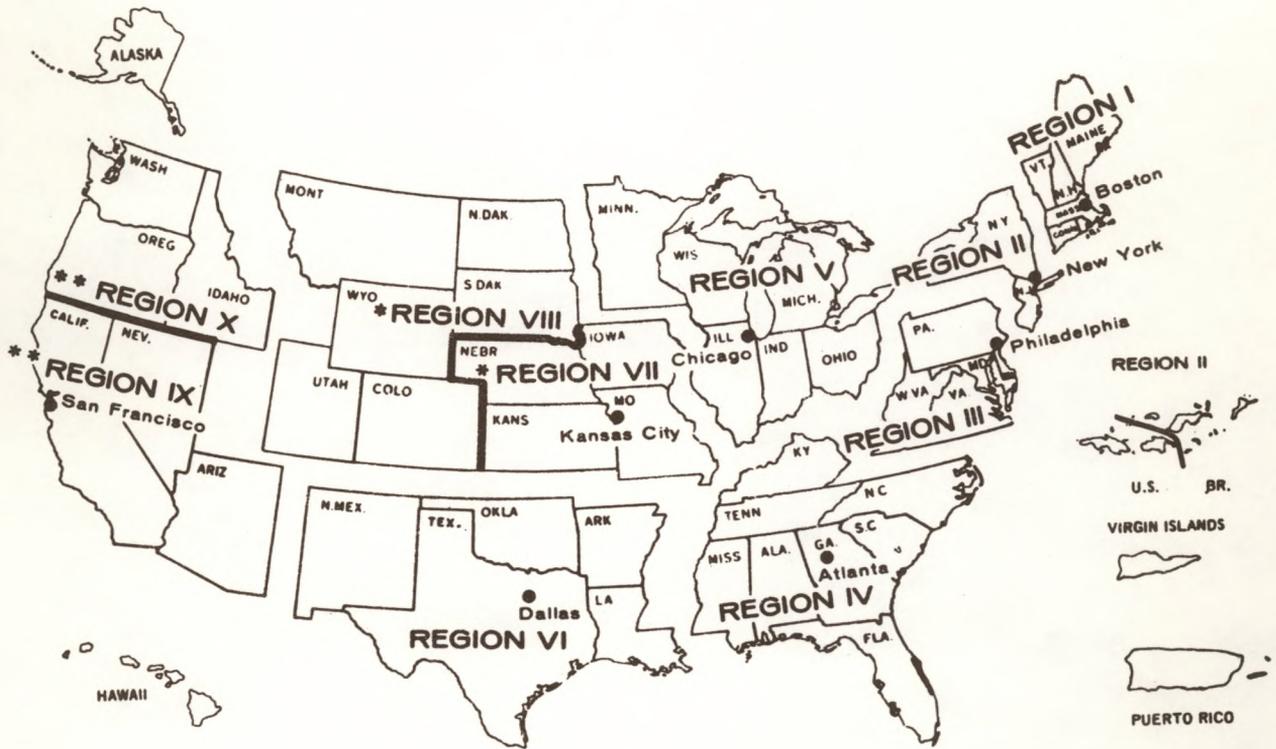


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