

Since September 1963, the month after the public law was enacted we have had to spend \$650,000 on legal battles involving problems arising from the public law or the award.

That is a huge, and worrisome and unfair burden imposed on a small organization. It is the same burden you are now considering imposing on the various shopcraft unions.

Here I would like to cite one example for you of a dispute that took us back and forth between the reconvened board and the district court and is still not settled.

The only method by which the employees could enforce the terms of the arbitration award was through the long, formal legal proceedings in the district court.

The brotherhood first attempted to enforce the terms of the arbitration award on February 11, 1965, in the district court by filing a motion for supplemental relief against the Southern Pacific Co. This motion involved nine different kinds of action of the Texas & Louisiana lines of the Southern Pacific Co. and other carriers, which deprived firemen of earnings and jobs in violation of the terms of the award. Some 900 employees' claims were involved.

Certain claims were finally settled after the filing, but on April 5, 1965, the district court declined to rule on the remaining claims until the arbitration board clarified the meaning and application of its award. It was thus necessary to return to the arbitration board to have its award clarified.

The arbitration board made additional rulings on May 6, 1965, pertaining to these claims. It was then back to court to amend our motion for supplemental relief.

At this point the proceedings involved mainly the claims of firemen with less than 10 years' seniority who had been improperly offered comparable jobs.

The district court on June 7, 1965, heard arguments on the matter and requested further interpretations of the award from the arbitration board.

Following further rulings by the board the district court issued its opinion on September 13, 1965, upholding the position of the brotherhood. However, this was not the end of the proceedings.

The carriers refused to make appropriate amends to some of the employees involved, contending that they failed to pursue certain grievance procedures established by collective bargaining agreements.

Notwithstanding the fact that this issue had been decided by the district court on June 7, 1965, it was necessary for the brotherhood to return again to the district court on December 1, 1965, with another motion for supplemental relief.

The court decided the matter on March 28, 1966, and issued its order on April 6, 1966. The carriers requested the court to amend this order on April 18, 1966, and the court denied this request on June 2, 1966. Thereupon, the carriers filed notice June 28, 1966, that this matter was being taken to the U.S. Appeals Court for the District of Columbia.

This appeal is now pending. Thus, the claims of individual firemen growing out of the carriers misapplication of the award, which arose a few months after the award went into effect in 1964, have still not been settled.