

used throughout this chapter. See section 151 et seq. of this title.

Section 103, act July 15, 1913, ch. 6, § 1, 38 Stat. 103, related to employees affected by application of provisions of this chapter. See section 151 et seq. of this title.

Section 104, act July 15, 1913, ch. 6, § 1, 38 Stat. 103, defined "employer" and "employee" as used throughout this chapter. See section 151 et seq. of this title.

Section 105, act July 15, 1913, ch. 6, § 2, 38 Stat. 104, related to submission of controversies to the Board of Mediation and Conciliation for adjustment. See section 151 et seq. of this title.

Section 106, act July 15, 1913, ch. 6, § 2, 38 Stat. 104, related to proffer of services by board in public interest in urgent cases. See section 151 et seq. of this title.

Section 107, act July 15, 1913, ch. 6, § 2, 38 Stat. 104, related to application of board's opinions as to meaning of agreement after mediation. See section 151 et seq. of this title.

Section 108, act July 15, 1913, ch. 6, § 3, 38 Stat. 104, related to submission of controversies to board of arbitrators and selection of members. See section 151 et seq. of this title.

Section 109, act July 15, 1913, ch. 6, § 4, 38 Stat. 105, related to requirements for a valid agreement to arbitrate under terms of this chapter. See section 151 et seq. of this title.

Section 110, act July 15, 1913, ch. 6, § 5, 38 Stat. 106, related to authority of arbitrators for purposes of this chapter and arbitration hereunder. See section 151 et seq. of this title.

Section 111, act July 15, 1913, ch. 6, § 6, 38 Stat. 106, related to acknowledgement and filing of an agreement of arbitration under this chapter. See section 151 et seq. of this title.

Section 112, act July 15, 1913, ch. 6, § 6, 38 Stat. 106, related to written notification of appointment to be submitted to selected arbitrators. See section 151 et seq. of this title.

Section 113, act July 15, 1913, ch. 6, § 6, 38 Stat. 106, related to notice to Board of Mediation and Conciliation by selected arbitrators. See section 151 et seq. of this title.

Section 114, act July 15, 1913, ch. 6, § 6, 38 Stat. 106, related to reconvention of board of arbitration when desired by parties. See section 151 et seq. of this title.

Section 115, act July 15, 1913, ch. 6, § 7, 38 Stat. 106, related to organization and procedure of board of arbitration under this chapter. See section 151 et seq. of this title.

Section 116, act July 15, 1913, ch. 6, § 7, 38 Stat. 106, related to particular papers bearing on mediation or arbitration under former law. See section 151 et seq. of this title.

Section 117, act July 15, 1913, ch. 6, § 8, 38 Stat. 107, related to time when an award under this chapter was to be operative. See section 151 et seq. of this title.

Section 118, act July 15, 1913, ch. 6, § 8, 38 Stat. 107, related to procedure for appeal to former circuit court of appeals under this chapter. See section 151 et seq. of this title.

Section 119, act July 15, 1913, ch. 6, § 8, 38 Stat. 107, related to finality of a determination of former circuit court of appeals. See section 151 et seq. of this title.

Section 120, act July 15, 1913, ch. 6, § 8, 38 Stat. 107, related to judgment on exception to award and judgment by agreement. See section 151 et seq. of this title.

Section 121, act July 15, 1913, ch. 6, § 8, 38 Stat. 107, related to compulsory labor under this chapter. See section 151 et seq. of this title.

Section 122, act July 15, 1913, ch. 6, § 9, 38 Stat. 107, related to rights of employees under Federal court receivers. See section 151 et seq. of this title.

Section 123, acts July 15, 1913, ch. 6, § 10, 38 Stat. 108; June 5, 1920, ch. 235, § 1, 41 Stat. 886, related to pay and expenses of arbitrators. See section 151 et seq. of this title.

Section 124, act July 15, 1913, ch. 6, § 11, 38 Stat. 108, related to constitution of United States Board of Mediation and Conciliation. See section 151 et seq. of this title.

Section 125, act July 15, 1913, ch. 6, § 11, 38 Stat. 108, related to repeal of certain prior law.

§ 126. Repealed. Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379

Section, act Dec. 15, 1921, ch. 1, § 1, 42 Stat. 328, abolished offices of Commissioner and Assistant Commissioner of Mediation and Conciliation.

CHAPTER 7—ADJUSTMENT BOARDS AND LABOR BOARDS

§§ 131 to 146. Repealed. May 20, 1926, ch. 347, § 14, 44 Stat. 587

Section 131, act Feb. 28, 1920, ch. 91, § 300, 41 Stat. 469, defined terms for purposes of this chapter. See section 151 et seq. of this title.

Section 132, act Feb. 28, 1920, ch. 91, § 301, 41 Stat. 469, related to disputes between carriers and their officers, agents, and employees. See section 151 et seq. of this title.

Section 133, act Feb. 28, 1920, ch. 91, § 302, 41 Stat. 469, related to establishment of railroad boards of labor adjustment. See section 151 et seq. of this title.

Section 134, act Feb. 28, 1920, ch. 91, § 303, 41 Stat. 469, related to duty of boards to hear and decide disputes. See section 151 et seq. of this title.

Section 135, act Feb. 28, 1920, ch. 91, § 304, 41 Stat. 470, related to establishment and composition of Railroad Labor Board. See section 151 et seq. of this title.

Section 136, act Feb. 28, 1920, ch. 91, § 305, 41 Stat. 470, related to selection of members of board by President. See section 151 et seq. of this title.

Section 137, act Feb. 28, 1920, ch. 91, § 306, 41 Stat. 470, related to effect of subsequent ineligibility of certain members. See section 151 et seq. of this title.

Section 138, act Feb. 28, 1920, ch. 91, § 306, 41 Stat. 470, related to terms of office, salary, and removal from office of board members. See section 151 et seq. of this title.

Section 139, act Feb. 28, 1920, ch. 91, § 307, 41 Stat. 470, related to disputes within jurisdiction of board. See section 151 et seq. of this title.

Section 140, act Feb. 28, 1920, ch. 91, § 308, 41 Stat. 472, related to certain powers and duties of board. See section 151 et seq. of this title.

Section 141, act Feb. 28, 1920, ch. 91, § 309, 41 Stat. 472, related to right to hearing by a party in dispute. See section 151 et seq. of this title.

Section 142, act Feb. 28, 1920, ch. 91, § 310, 41 Stat. 472, related to certain procedural powers of board. See section 151 et seq. of this title.

Section 143, act Feb. 28, 1920, ch. 91, § 311, 41 Stat. 472, related to access to books, accounts, and records. See section 151 et seq. of this title.

Section 144, act Feb. 28, 1920, ch. 91, § 313, 41 Stat. 473, related to determination of violations of decisions of board. See section 151 et seq. of this title.

Section 145, act Feb. 28, 1920, ch. 91, § 314, 41 Stat. 473, related to appointment and salary of Secretary of Board. See section 151 et seq. of this title.

Section 146, act Feb. 28, 1920, ch. 91, § 316, 41 Stat. 474, related to jurisdiction of adjustment or labor board as excluding mediation board. See section 151 et seq. of this title.

CHAPTER 8—RAILWAY LABOR

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 231, 351, 354, 355, 362, 401, 404, 726, 797k, 1108, 1207 of this title; title 11 section 1167; title 18 section 1951; title 26 section 3231; title 29 sections 152, 182, 401, 402, 523, 630, 1002, 1415, 2108; title 42 section 2000e; title 49 sections 10722, 20110, 24312, 42111.

SUBCHAPTER I—GENERAL PROVISIONS

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 181, 182 of this title; title 11 section 1113.

§ 151. Definitions; short title

When used in this chapter and for the purposes of this chapter—

First. The term “carrier” includes any express company, sleeping-car company, carrier by railroad, subject to subtitle IV of title 49, and any company which is directly or indirectly owned or controlled by or under common control with any carrier by railroad and which operates any equipment or facilities or performs any service (other than trucking service) in connection with the transportation, receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, and handling of property transported by railroad, and any receiver, trustee, or other in-

dividual or body, judicial or otherwise, when in the possession of the business of any such “carrier”: *Provided, however,* That the term “carrier” shall not include any street, interurban, or sub-urban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is authorized and directed upon request of the Mediation Board or upon complaint of any party interested to determine after hearing whether any line operated by electric power falls within the terms of this proviso. The term “carrier” shall not include any company by reason of its being engaged in the mining of coal, the supplying of coal to a carrier where delivery is not beyond the mine tipple, and the operation of equipment or facilities therefor, or in any of such activities.

Second. The term “Adjustment Board” means the National Railroad Adjustment Board created by this chapter.

Third. The term “Mediation Board” means the National Mediation Board created by this chapter.

Fourth. The term “commerce” means commerce among the several States or between any State, Territory, or the District of Columbia and any foreign nation, or between any Territory or the District of Columbia and any State, or between any Territory and any other Territory, or between any Territory and the District of Columbia, or within any Territory or the District of Columbia, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign nation.

Fifth. The term “employee” as used herein includes every person in the service of a carrier (subject to its continuing authority to supervise and direct the manner of rendition of his service) who performs any work defined as that of an employee or subordinate official in the orders of the Interstate Commerce Commission now in effect, and as the same may be amended or interpreted by orders hereafter entered by the Commission pursuant to the authority which is conferred upon it to enter orders amending or interpreting such existing orders: *Provided, however,* That no occupational classification made by order of the Interstate Commerce Commission shall be construed to define the crafts according to which railway employees may be organized by their voluntary action, nor shall the jurisdiction or powers of such employee organizations be regarded as in any way limited or defined by the provisions of this chapter or by the orders of the Commission.

The term “employee” shall not include any individual while such individual is engaged in the physical operations consisting of the mining of coal, the preparation of coal, the handling (other than movement by rail with standard railroad locomotives) of coal not beyond the mine tipple, or the loading of coal at the tipple.

Sixth. The term “representative” means any person or persons, labor union, organization, or corporation designated either by a carrier or group of carriers or by its or their employees, to act for it or them.