

Landmark legislation that shaped the railroad industry

1862: In the midst of the Civil War, President Abraham Lincoln signed the Pacific Railroad Act, which authorized the construction of a new railroad line (the transcontinental railroad) extending from Council Bluffs, Iowa, to Sacramento, Calif., in an effort to unite the nation from east to west.

1887: President Grover Cleveland signed the Interstate Commerce Act into law, which regulated the nation's railroads. The act created the Interstate Commerce Commission (ICC), the first independent regulatory agency of the U.S. government, to monitor railroads to ensure that they complied with new regulations. The ICC's jurisdiction was limited to companies that operated across state lines.

1888: The Arbitration Act of 1888 was passed in response to railroad strikes during the 1870s and 1880s. This act created arbitration panels that held the power to investigate the causes of labor disputes and to issue non-binding arbitration awards. Only one panel was ever convened and issued its report after a strike had already been crushed by a federal court injunction.

1893: Official counts showed 18,343 railroad workers were injured on the job and another 1,657 were killed that year. There was no legal redress for injuries or deaths resulting from negligence on the part of their employers. As a result, the first target of railroad labor's legislative campaign, begun in 1889, was safety. Its first victory was the enactment of the Safety Appliance Act of 1893. The act outlawed the "old man-killer link-and-pin coupler," which alone was responsible for 310 deaths and 8,753 injuries to railroad workers that year. The act also made air brakes mandatory on all trains.

1898: The Erdman Act provided for mediation and voluntary arbitration on the railroads. It made it a criminal offense for railroads to dismiss employees or to discriminate against prospective employees because of their union membership or activity. It also provided legal protection of employees' rights to membership in a labor union, limited the use of injunctions in labor disputes, gave provisions for the lawful status of picketing and other union activities, and required employers to bargain collectively.

1908: Federal Employers' Liability Act (FELA) passed April 22. Congress passed FELA in response to the high number of railroad deaths in the late 19th and early 20th centuries. Under FELA, railroad workers who are not covered by regular workers' compensation laws are able to sue companies over their injury claims. FELA requires the injured railroader to prove that the railroad was legally negligent in causing the injury to be entitled to full compensation.

1910: The Accident Reports Act passed May 6. A 10-hour workday and standardization of rates-of-pay and working conditions were won by the Railway Brotherhoods.

1913: The Newlands Labor Act created the Board of Mediation and Conciliation (BMC), a precursor to today's National Mediation Board (NMB). The BMC adjusted and arbitrated disputes between railroad companies and their operating employees, where those disputes threatened to interrupt operation of the carriers to the serious detriment of public interest. Voluntary arbitration was also provided for disputes that could not be settled by mediation.

1916: The Hours of Service Act passed Sept. 3. The Railroad Brotherhoods won an eight-hour day. From henceforth, the carriers have been obliged to pay overtime after eight hours. The 48-hour workweek was established. Also known as the Adamson Act.

1918: Railway Administration Act of 1918 ordered U.S. railroads be nationalized to serve the government's needs during World War I.

1918: The eight-hour workday became law in Canada Sept. 1

1920: The Transportation Act or the Esch-Cummins Act, was a law that returned railroads to private operation after World War I. The law directed the ICC to prepare and adopt a plan for the consolidation of the railway properties into a limited number of systems. It also established procedures for settling labor disputes between railroads and employees. A Railroad Labor Board was created to regulate wages and settle disputes.

1926: The Railway Labor Act (RLA) passed May 20. It required employers, under penalty of law, to bargain collectively and not to discriminate against their employees for joining a union. It also provided for mediation, voluntary arbitration, fact-find boards, "cooling off" periods and adjustment boards. The law also served to disband the Railroad Labor Board, which was created with The Transportation Act.

1934: The National Mediation Board (NMB) was established by an amendment to the RLA. The NMB is an independent agency in the executive branch of the government and is composed of three members that are appointed by the president of the United States. The National Railroad Adjustment Board (NRAB) was also created with this amendment. NRAB is an industrial court for the adjudication of disputes involving the interpretation or application of wage and rule agreements of carriers. The board consists of 36 members: 18 selected by the carrier and 18 selected by labor unions.

1934: The Railroad Retirement Act of 1934 set up the first retirement system for non-government workers to be administered by the Federal Government. The act was declared unconstitutional.

1935: The Railroad Retirement and Carriers' Taxing Acts of 1935 replaced the previous railroad retirement act from 1934. The act was challenged in court and it was found that neither employees nor employers could be required to pay railroad retirement taxes. However, the court did not prohibit the payment of benefits and the Railroad Retirement Board (RRB) began awarding annuities in July 1936 under the provisions of this act.

1935: National Labor Relations (Wagner) Act passed July 5. The National Labor Relations Act of 1935 followed the example of the Railway Labor Act, and clearly established the right of all workers to organize and to elect their representatives for collective bargaining.

1936: The RLA was expanded to include the airline industry.

1937: Railroad Retirement Act of 1937 passed June 24. A committee of railroad management and labor established a memorandum of agreement that led to the Railroad Retirement and Carriers' Taxing Acts of 1937, establishing the railroad retirement system.

1938: Railroad Unemployment Insurance Act passed June 25. The act was designed to restore part of wage loss arising from unemployment or sickness (including maternity). Payments are made to employees who had sufficient earnings in the preceding calendar year and meet the qualifying conditions.

1940: Transportation Act passed Sept. 18. The act added mandatory labor protection for employees adversely affected by mergers, mandating that approval of any rail merger or consolidation or other transaction be required to offer fair and equitable arrangements to protect the interests of the railroad employees affected.

1946: Survivor benefits are added via an amendment to the Railroad Retirement Act to keep pace with Social Security benefits.

1949: The first 40-hour workweek was established for non-operating workers of the U.S. railroad industry.

1951: Union Shop Amendment of the RLA passed Jan. 10. The amendment allowed unions to bargain for union shops and dues checkoff arrangements.

1951: The first 40-hour workweek was established for railroad workers in Canada.

1956: Supreme Court upholds union representation in railroad union shops, overruling a state right-to-work law.

1964: Urban Mass Transportation Act, also called the Federal Transit Act, passed July 9. With this act, employees of transit systems affected by the reorganizations and consolidations resulting from receipt of federal transit grants were required to be protected at the same level as ICC merger and abandonment protection as provided in the 1940 Transportation Act.

1965: The High Speed Ground Transportation Act of 1965 was an attempt by Congress to foster the growth of high-speed rail in the U.S. The act was introduced following the creation of Japan's first bullet train.

1966: The RLA was amended to make decisions of the NRAB final and binding.

1966: Department of Transportation Act of 1966 became law Oct. 15, creating the Department of Transportation (DOT) and DOT's Federal Railroad Administration (FRA). The FRA was created to promulgate and enforce rail safety regulations, administer railroad assistance programs and conduct research and development in support of improved railroad safety.

1967: Department of Transportation inaugurated April 1. Alan S. Boyd served as DOT's first U.S. Secretary of Transportation.

1968: Southern Pacific employee Leah "Rosie" Rosenfeld filed and settled a sex-discrimination suit against her employer that resulted in a change to California's women's protective laws and opened senior positions at the railroad for women.

1970: President Nixon signed the Passenger Rail Act of 1970. This legislation established the National Railroad Passenger Corporation or Amtrak to assume operation of inter-city passenger rail service. This act alleviated the burden felt by freight railroads from passenger operations and served to preserve rail passenger service over a national system of Congressionally-designated routes. Amtrak began service May 1, 1971, serving 43 states with a total of 21 routes.

1976: The Railroad Revitalization and Regulatory Reform Act of 1976, aka the 4R Act, established the basic outlines of regulatory reform in the railroad industry. The act was the first in a series of laws that collectively are described as the deregulation of the transportation in the U.S.

1980: Staggers Act - deregulated the rail industry to a significant extent - signed into law by President Carter Oct. 14.

1985: National COA Fund was established to support of living adjustments to railroads