

**Selected Studies  
in  
Transportation Law**

Volume 6  
(2012 Supplement)

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**TRANSIT LABOR 13(c) DECISIONS**  
Employee Protection Digest

**Transportation Research Board**

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**This volume was compiled under TCRPJ-5.**

This report was prepared under TCRP Project J-5, "Legal Aspects of Transit and Intermodal Transportation Programs," for which the Transportation Research Board is the agency coordinating the research. The report was prepared by Shelly Brown, Shelly Brown Associates, LLC, Seattle, Washington. James B. McDaniel, TRB Counsel for Legal Research, was the principal investigator and content editor.

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## **Introduction**

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This publication is organized in an alphabetical arrangement by case name, employer name, and subject matter and contains a catalog for key word searches. This publication should be useful to transportation labor law practitioners with specific questions about certain issues pertaining to employment claims, 13(c) interpretation, and how these issues have been decided by DOL.

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## **The Problem and the Solution**

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This project follows up two earlier TCRP publications: TCRP LRD-4, Transit Labor Protection – A Guide to 13(c) of the Federal Transit Act, published in 1995, and Volume 6, Selected Studies in Transportation Law, Transit Labor 13(c) Decisions, published in 2001. The first project provided a detailed description of the 13(c) process; the second project compiled and indexed all significant 13(c) decisions and related documentation.

The current project was undertaken to collect and synthesize 13(c) decisions issued since publication of Volume 6. However, it became clear in the process of data collection that only a few 13(c) decisions had been issued since the publication of Volume 6. Research and conversations with the United States Department of Labor (DOL) revealed that the DOL had compiled - but not published - an Employee Protection Digest (EPD) that consists of DOL decisions regarding individual claims of 13(c) violations regarding transit employees. Additional sections of the EPD pertaining to railroad employees have not been included in this project. The TCRP project committee decided to index, electronically enhance, and publish the Department of Labor EPD. Such a document would, according to a consensus of the committee, provide a legal research tool not previously available and would be especially suitable for use by transit agencies. This digest provides those indexes to the decisions and adds electronic search capabilities.

## **Instructions**

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### **General Information**

Each case has been assigned a series of Key Words to assist you in identifying cases relevant to your research. See Subject Matter Index for a complete listing of cases sorted alphabetically by Key Word.

### **Navigating within a PDF**

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