

Award No. 351
Case No. CL-85-W

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES) Brotherhood of Railway, Airline and Steamship Clerks, Freight
TO) Handlers, Express and Station Employees
DISPUTE) and
Lake Superior Terminal & Transfer Railway Company

QUESTION Question No. 2 - Award No. 265, Case No. CL-85-W reads as
AT ISSUE: follows:

2. Shall the Carrier now be required to compensate Jack Alho at his guaranteed rate of \$25.36 per day, plus subsequent general wage increases, commencing September 11, 1970 and each work day thereafter, less any compensation received for such days, if any?

OPINION

OF BOARD: On October 27, 1971, we rendered Award No. 265, a case similar to Award Nos. 262, 263 and 264. Upon displacement by a senior employee on March 28, 1970, Claimant was able to continue to work regularly until September 11, 1970, when he reverted to the furloughed list. Therefore, Award No. 265, provided as follows, to wit:

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"1. The matter is remanded to the parties for negotiation of a local agreement in accordance with our Opinion.

"2. We shall hold in abeyance the question whether Claimant is entitled to any compensation pending conclusion of an agreement for a substitute formula."

Thereafter, the parties negotiated a local Agreement, however, upon the failure to resolve the question whether Claimant is entitled to additional compensation, that question was referred back to our Board.

In view of our conclusions reached this day in Award No. 348, it is our considered judgment that Claimant is entitled to his protected rate less any compensation received during the period between the date of furlough and the effective date of the substitute formula Agreement -- February 11, 1972.

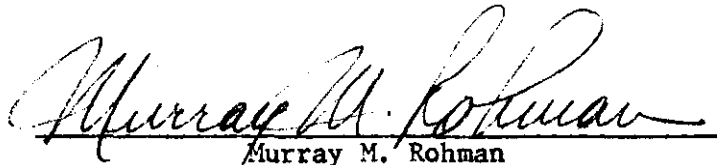
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The answer to the question previously held in abeyance in Award No. 265, whether Claimant is entitled to additional compensation, is in the affirmative.

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Claimant is entitled to his protected rate less any compensation received during the period between the date of furlough and the effective date of the substitute formula Agreement -- February 11, 1972.


Murray M. Rohman
Neutral Member

Dated: Washington, D. C.
April 18, 1973

