

SPECIAL BOARD OF ADJUSTMENT NO. 605

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PARTIES) Hotel and Restaurant Employees and Bartenders International
TO) Union
DISPUTE) and
Chicago, Milwaukee, St. Paul and Pacific Railroad Company

QUESTIONS
AT ISSUE:

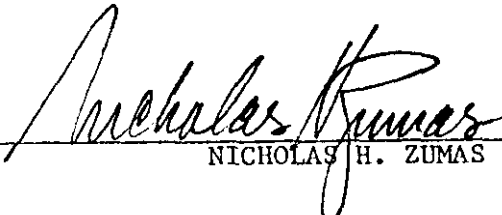
- (1) Whether the Carrier shall be required to furnish its records of the employment in 1962, 1963 and 1964 for each employee represented by the Union whom the Carrier classified as seasonal under the February 7, 1965 Agreement and show with respect to each whether his employment in each of those years followed a pattern of lay-offs for seasonal reasons.
- (2) Whether, when with respect to any employee the showing required pursuant to Question (1) fails to show in each of such years a pattern or lay-offs for seasonal reasons, the Carrier must now compensate such employee in accordance with Article IV of the February 7, 1965 Agreement, Section 1, if he held a regularly assigned position on October 1, 1964, otherwise Section 2.
- (3) Whether, with respect to protected employees not shown to be seasonal, and who were on furlough on February 7, 1965 and were not recalled to service on or before March 1, 1965, the Carrier must now compensate such employees in accordance with Article IV of the Agreement for any lost time not heretofore paid for.

OPINION
OF BOARD:

Under the facts and circumstances surrounding the handling and processing of this dispute, the Board is compelled to hold that it cannot consider the merits. See Award Nos. 131, 299, 310, 311 and 226.

AWARD

The answer to each of the questions presented is in the negative.


NICHOLAS H. ZUMAS

Dated: Washington, D. C.
June 7, 1973