

SPECIAL BOARD OF ADJUSTMENT NO. 605

AWARD NO. 438
CASE NO. CL-128-W

PARTIES TO DISPUTE:

CHICAGO AND WESTERN INDIANA
RAILROAD COMPANY

- and -

BROTHERHOOD OF RAILWAY, AIRLINE
AND STEAMSHIP CLERKS, FREIGHT
HANDLERS, EXPRESS AND STATION
EMPLOYEES

QUESTIONS AT ISSUE:

1. Did the Carrier violate the effective February 7, 1965 Stabilization of Employment Agreement when, due to an organizational change and/or coordination, it caused Leverman R. V. Janutis to accept a position at a lower rate than that at which he was protected at without allowing him such higher protected rate?
2. Shall Carrier now compensate Mr. Janutis for the difference between his protected rate and the rate paid him by the Carrier for November 1, 1983, and for each and every day thereafter that he is required to work a lower rated position?

OPINION OF THE BOARD:

Subsequent to the submission of the dispute herein to this Board and following oral argument, the Board has been informed that the parties are withdrawing the dispute from further consideration by the Board. The dispute therefore, is dismissed without prejudice.

AWARD: Case dismissed without prejudice.



I. M. Lieberman, Chairman

Date: 4-20-87