

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES) Transportation-Communications International
TO THE) Union
DISPUTE) and
) Western Railroad Association

QUESTIONS AT ISSUE:

1. Did the Western Railroad Association violate the terms and provisions of Mediation Case A7128, Employee Protective Agreement (February 7, 1965 Agreement) as amended, particularly Article III, when it unilaterally affectuated its notice of February 24, 1986 without an appropriate agreement with the Organization?
2. If the answer to 1 above is in the affirmative, shall the Association be required to restore the status quo and reach an agreement with the Organization before making any of the contemplated changes and, further, compensate the affected employees an amount equal to what they would have earned had the changes not be made?

OPINION OF

THE BOARD: The Board has carefully examined the record in this case and has determined that the issues presented in the parties' submission were satisfactorily resolved on the property. Inasmuch as the questions at issue are moot, this Board dismisses this case.

AWARD

1. Question at Issue No. 1 is dismissed.
2. Question at Issue No. 2 is dismissed.

Dated: January 22, 1990



John B. LaRocco
Neutral Member