

SPECIAL BOARD OF ADJUSTMENT  
ESTABLISHED PURSUANT TO  
SECTION 11 OF THE  
NEW YORK DOCK II CONDITIONS

CASE NO. 3

PARTIES ) BROTHERHOOD OF RAILWAY CARMEN OF THE UNITED STATES  
          ) AND CANADA  
TO        )  
          )  
DISPUTE ) SEABOARD SYSTEM RAILROAD

STATEMENT OF CLAIM:

"Continuous claim in behalf of S. D. Burkhart, J. F. Summers, C. W. Patton and G. T. Griffin for the labor protective provisions of the New York Dock and/or Article 1 of the September 25, 1964 Agreement, from the effective date of the furlough, August 28, 1983, Covington, KY, L&N Railroad." (BRC File 574-1093-T-360; L&N File 16-AA-NYD(83-246))

FINDINGS:

Essentially, the background, arguments, and dispute at issue are not unlike that advanced to this Board in Case No. 2, except the claim here involves four carmen at DeCoursey Yard who were furloughed on August 28, 1983.

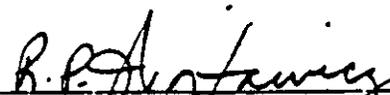
Although the date of furlough is admittedly closer to the date of the June 18, 1984 coordination of Mechanical Department facilities and forces in the Greater Cincinnati Terminal, we find no reason to hold that the furloughs were in anticipation of such coordination or to be of other than the opinion we set forth in denying the claims covered by Case No. 2.

AWARD:

Claim denied.

  
Robert E. Peterson, Chairman  
and Neutral Member

  
J. T. Williams, Carrier Member

  
R. P. Woytowicz, Employee Member

Jacksonville, FL  
May 29, 1985