

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES ) Chicago, Rock Island and Pacific Railroad Company  
TO THE ) and  
DISPUTE ) Brotherhood of Maintenance of Way Employees

QUESTIONS I (a) Should Dearn Williams have been  
AT ISSUE: retained in service on and subse-  
quent to February 24, 1965

and

(b) Should Alton H. Prim have been  
retained in service on and subse-  
quent to February 19, 1965

II Are Dearn Williams and Alton H. Prim  
entitled to reimbursement for the loss  
of earnings suffered as a result of  
their furloughs in February 1965.

OPINION These are individual claims for compensation,  
OF BOARD: but they involve an interpretation of the Febru-  
ary 7, 1965, Agreement and were therefore properly  
filed in accordance with the rules, and timely filed within  
60 days of November 24, 1965.

The claims filed by the Employees were progressed  
on the property with no challenge to the accuracy of the facts  
set forth. However, in its Submission Carrier alleged a totally  
different employment history than appeared in the claims. It  
must be held that the claims as presented on the property are  
before the Committee.


Although Carrier on the property, as well as  
in its Submission, said that the Claimants had lost their  
protected status in accordance with Article II, Section 1,  
because they failed to exercise seniority to obtain positions,  
the statements were vague and indefinite, without regard to  
circumstances, time or place. Thus Carrier's charges have  
not been established.

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Since both men qualified as professional employees, and were on furlough on February 7, 1965, covered by Article I to return them to active or reserve status pursuant to Article I to return them to active or reserve status March 1, 1965, and thereafter retain them in compensated service. Although one was returned to service on February 10, 1965, and the other on February 17, neither was rewarded or compensated service as he should have been.

A T T A R D

The answer to the questions is "yes."

  
Milton Friedman  
Neutral Member

Dated: Washington, D.C.  
June 10, 1969