

AWARD NO. 327  
Case No. H&RE-3-E

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES ) Hotel & Restaurant Employees & Bartenders International Union  
TO THE ) and  
DISPUTE ) New York Central Railroad

QUESTION  
AT ISSUE:

The question at issue is whether a protected employee may lose his protected status by reason of failure to obtain a position available to him in the exercise of his seniority prior to the November 24, 1965 Interpretations of the Job Stabilization Agreement of February 7, 1965, and thirty days thereafter.

OPINION  
OF BOARD:

It is the opinion of the Board that because of the unusual facts and circumstances involved in this case and without establishing a precedent on this or any other carrier, the claims of the employees involved none of whom are now in active service of the carrier should be denied.

AWARD

The case is disposed of per Opinion of the Board.

W. S. Macgill

Richard A. Smith

M. E. Park

J. E. Leighty

Dated: November 14, 1972

Washington, D. C.