

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES ) Lehigh Valley Railroad Company  
TO THE ) and  
DISPUTE ) Transportation - Communication Employees Union

QUESTIONS  
AT ISSUE:

1. Does an employee (extra or regularly assigned) who retains or obtains (by bidding or displacing) a regular position when such is available to him after December 24, 1965, retain protected status under the terms of Article II, even though such employee may not have done so prior to December 24, 1965?
2. With respect to Article IV, Section 6, is the Carrier required to furnish the Organization with not only a list of the protected employees but also with record of earnings and/or hours paid for in the case of each protected employee, for each month beginning with March 1965 computed in accordance with Article IV, Section 1 or 2?
3. If the answer to either of the above questions is in the affirmative, shall the Carrier be required to compensate the protected employees for preservation of compensation as provided in Article IV for all months beginning with March, 1965?

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 should be denied. The Answer to Question No. 2 is "No"; see Awards 64 and 65.

AWARD

The case is disposed of per Opinion of the Board.

W. S. McGill

E. L. Dennis

M. E. Parks

J. E. Leighty

Dated: November 14, 1972

Washington, D. C.