

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES) Brotherhood of Railway, Airline and Steamship Clerks, Freight
TO THE) Handlers, Express and Station Employees
DISPUTE) and
St. Louis-San Francisco Railway Company

QUESTION
AT ISSUE:

- (1) Did the Carrier violate the provisions of the February 7, 1965 Agreement and the Interpretations thereto dated November 24, 1965 and particularly Article II, Section 1 and the Interpretation to Article V thereof when it removed senior extra list employes Joe Orlando, E. Maus, E. L. Williams, E. E. Shipp, W. J. Kennedy, J. T. Jones, V. P. Gerwitz, R. W. Hanks, E. O. LaRue, J. Gaffney, Frank Pizzo, Max Hoynacki and E. Weber, St. Louis, Missouri, from the status of protected employes account of failure to bid on permanent bulletined positions at Springfield, Missouri, a distance of some 230 miles?
- (2) Shall the Carrier now be required to return employes named in Item (1) above to the status of protected employes and be required to reimburse them for any losses sustained from the respective dates of their removal from the status of protected employes?

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, that the claims should be denied except that claimants J. Orlando, E. Weber, R. W. Hanks and E. L. Williams, the only remaining claimants currently employed by the carrier, should be restored to protected status under the February 7, 1965 Agreement as of the date of this Award without any retroactive compensation. The claims of J. Gaffney, F. Pizzo, W. J. Kennedy, M. Hoynacki, V. P. Gerwitz, E. Shipp, E. O. LaRue, J. T. Jones and E. Maus who are no longer in the service of the carrier are denied. It is not intended to express any opinion concerning the rights of claimants under any local agreements providing protective benefits to employees.

AWARD NO. 331
Case No. CL-47-W

AWARD

The case is disposed of as per Opinion of the Board.

W. S. Macgill C. L. Dennis

M. E. Parks J. E. Leighty

Dated: November 14, 1972

Washington, D. C.