

PARTIES TO THE DISPUTE:

Central California Traction Company
and
United Transportation Union

AWARD NO. 1

STATEMENT OF CLAIM:

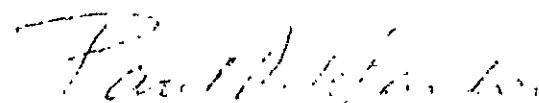
Claim of various Conductors and Brakemen for refund of reduction in vacation period allowances for year of 1969.

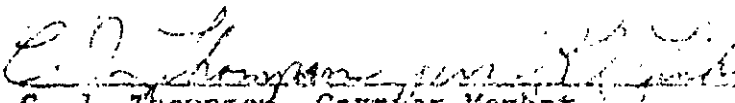
FINDINGS:

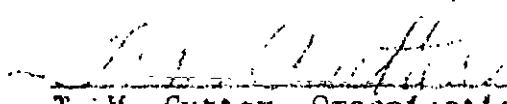
In May of 1971, the Carrier made certain deductions from the pay of these claimants based upon an audit, which indicated that the Carrier had erroneously computed vacation allowances on 1969 earnings. The rules cited by the employees dealing with time limits on claims are not applicable to situations such as this, but nevertheless it is the conclusion of this Neutral that the Carrier must establish reasonable procedures for the detection and correction of payroll errors within some reasonable period of time after the occurrence. The two year lapse of time in the present case is clearly unnecessary and unreasonable and the Carrier's right to recoup the overpayments must be considered barred under the doctrine of laches.

AWARD:

Claim sustained. Carrier shall comply with this award within thirty days from the date hereof.


Paul D. Hanlon, Chairman and Neutral Member


C. J. Thompson, Carrier Member


T. M. Cutter, Organization Member

Stockton, California

MAY 28, 1974