

SPECIAL BOARD OF ADJUSTMENT (P.L. BOARD) NO. 39

Award No. 1
Case No. MW 138

PARTIES TO THE DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Spokane, Portland and Seattle Railway Company (System Lines)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood
that:

(1) The Carrier violated the Agreement when it reduced forces in Track Gang No. 1 on January 29, 1963, without first giving the employees affected thereby at least five (5) working days' advance notice. (Carrier's File 701-a).

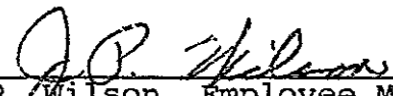
(2) Track Laborers L. Davis, S. S. England, L. O. Mark, W. W. Stufflebeam, V. A. Norberg and A. Thurston each be reimbursed for the exact amount of monetary loss suffered because of the violation referred to in Part (1) of this claim."


FINDINGS:

The Board, upon the whole record and all the evidence, finds that:

The rules relied upon, when applied to the facts of record, do not support an affirmative award. See Award 6191. Rule 29 is controlling.

AWARD: Claim denied.


J. P. Wilson, Employee Member


H. J. Tierney, Carrier Member

Portland, Oregon
August 10, 1967