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SPECIAL BOARD OF ADJUSTMENT NO. 122

THE PITTSBURGH AND LAKE ERIE RAILROAD COMPANY  
THE LAKE ERIE AND EASTERN RAILROAD COMPANY

Award No. 29  
Case No. 8

vs

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES

STATEMENT OF CLAIM:

Claim of Gateman M. Jubeck for one additional day's vacation during 1955, based on service rendered in 1954. (CL-285)

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

The Carrier or Carriers and the employee or employees involved in this dispute are respectively Carrier and Employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

The Board has jurisdiction over the dispute involved herein. The parties to said dispute were given due notice of hearing thereon.

In Section 8 of the December 7, 1954 Agreement, the parties have reserved to themselves the right to initially determine through collective bargaining, whether or not the Agreement of August 21, 1954, contemplates the elimination of Rule 29 (d). Until it becomes apparent that the parties are unable to resolve the issue by negotiation, this case should be held in abeyance.

AWARD: Claim dismissed.

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/s/ Harold M. Gilden

Harold M. Gilden, Neutral and Only Member Thereof.

Pittsburgh, Pa.  
April 24, 1958.