

SPECIAL BOARD OF ADJUSTMENT NO. 498

PARTIES: BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

and

GREAT NORTHERN RAILWAY COMPANY

AWARD IN DOCKET NO. 21

STATEMENT OF CLAIM: The claim in dispute has been identified by the Organization as follows:

"Claim of the System Committee that:

1. The Carrier violated the effective Agreement by failing to reinstate Steel Bridge Crew Foreman Peter A. Larson to his position as Foreman as of August 7, 1961 after he had been called back to service as a Foreman.

2. Claimant Peter A. Larson be now reimbursed for the difference in pay between what he received as an Assistant Steel Bridge Crew Foreman and what he should have received as a Steel Bridge Crew Foreman for services rendered commencing with the day the Carrier refused to allow him to displace the youngest assigned junior in the Steel Bridge Crew Foreman's classification."

FINDINGS: The portion of Rule 23 (a) which provides for cancellation of "any unserved portion of the suspension period", if the "employee is called back to service" prior to the completion of such suspension period, is clearly applicable to disciplinary suspensions from service. It has no applicability to demotions by disqualification.

AWARD: Claim denied.

Dated at St. Paul, Minn., this 26th day of November, 1963.

(s) Dudley E. Whiting  
Dudley E. Whiting, Referee

(s) A. J. Cunningham  
Organization Member

(s) T. C. DeButts  
Carrier Member