

SPECIAL BOARD OF ADJUSTMENT NO. 541

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
And
ERIE LACKAWANNA RAILWAY COMPANY

STATEMENT OF CLAIM:

1. The Carrier violated the effective Agreement by failing to continue Plumber-Helper Nick R. Tiberio, on his regular assignment of Truck Driver, beginning November 26, 1963, and continuing.
2. Plumber Helper Nick R. Tiberio be now compensated at his respective rate for all hours of work involved, beginning November 27, 1963, and continuing until this condition has been corrected.

FINDINGS:

The present claim concerns the same issue, agreement and contentions and substantially the same factual situation as were before us in denial Award 31. No valid reason is perceived for reaching a different conclusion in this case and the claim will be denied.

AWARD: Claim denied.

Dated at New York, N.Y., this 6th day of February, 1969.

/s/ Harold M. Weston

Harold M. Weston, Neutral

/s/ A. J. Cunningham

A. J. Cunningham, Organization Member

/s/ R. A. Carroll

R. A. Carroll, Carrier Member