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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. 30
Case No. 50

vs

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

STATEMENT OF CLAIM:

Claims of Crew Caller E. A. Gillooly for one day at punitive rate, December 25, 1954; one day at straight time rate, December 26, 1954, as well as one day holiday pay for December 25, 1954 at the rate of the position to which assigned, account held out of service pending investigation. (CL-250)

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.

Carrier's action in retracting the discipline previously imposed on claimant had the effect of exonerating him of the charges. It follows that claimant should be reimbursed for earnings that presumably would have accrued to him during the period he was held out of service.

AWARD: Claim sustained.

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/s/ Harold M. Gilden

Harold M. Gilden, Neutral and Only Member Thereof

Pittsburgh, Pa.
April 24, 1958