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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. 50
Case No. 33

vs

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

STATEMENT OF CLAIM:

Claim for holiday pay for Labor Day, September 6, 1954, in behalf of the following employees:

R. A. Wittman	T. W. Miller	John Martino, Jr.	Geo. M. Meskill
P. O'Halloran	S. J. Henn	J. L. Smithyman, Jr.	E. J. Vertulla
Edward Ozosky	J. F. Kanopsky	A. B. Garnetta	M. V. Manning
J. J. Brosovich	Harry Caretti		

(CL-275)

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 view of the disparity between recital contained in the force reduction notices issued to claimants wherein it was acknowledged that they were regularly assigned to the freight handler classification, and the Carrier contention here advanced that each of them worked as an extra on a day to day basis, the conflict in the evidence, in this particular case, will be resolved in claimants' favor.

AWARD: Claim sustained.

SPECIAL BOARD OF ADJUSTMENT NO. 122

/s/ Harold M. Gilden

Harold M. Gilden, Neutral and Only Member Thereof

Pittsburgh, Pennsylvania
June 3, 1958