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# Dixie Federation

JOINT PROTECTIVE BOARD

Brotherhood of Maintenance of Way Employees

*Affiliated with the American Federation of Labor and Trades and Labor Congress of Canada*



Office Address:

Room 210, 109 3rd Ave. No.  
Nashville, Tennessee 37201

July 14, 1969

Phone 255-6664  
Area Code 615

1-16

Mr. J. C. Mitchell  
Route 1, Box 319  
Bessemer, Alabama 35020

Dear Sir and Brother:

I furnished you copy of my letter of August 16, 1967, file 1-16, to Mr. John J. Berta, which was self-explanatory.

I am now furnishing you copy of Award No. 93, Case No. MW-20-SE, which is self-explanatory. I am also furnishing you copy of Mr. W. H. Stringer's letter of June 24, 1969 to Mr. N. H. Stier, Auditor of Disbursements, requesting that he advise payroll period on which this payment will be made.

Please advise me when you receive payment of this claim so that I may close my file.

Fraternally yours,

JACK BENSON  
General Chairman

JB/pw

cc: Mr. H. C. Crotty  
Mr. John J. Berta  
Mr. R. R. Painter

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES ) Louisville & Nashville Railroad Company  
TO THE ) and  
DISPUTE ) Brotherhood of Maintenance of Way Employees

QUESTIONS

AT ISSUE: (1) Were the displacement rights of J. C. Mitchell, an unprotected employee, nullified and ineffective because the junior employee whom he sought to displace (Arthur B. McKee) was a protected employee?

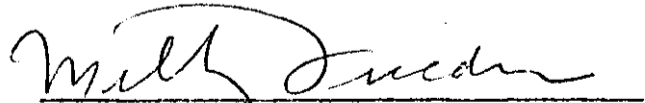
(2) Should J. C. Mitchell be reimbursed for the earnings lost, including holiday pay, from April 17 through April 21, 1967 and from May 16 through June 2, 1967 (19 days)?

OPINION

OF BOARD: This case is identical with that of Award No. 91 (Case No. MW-9-SE), and the award is also the same.

A W A R D

The answer to Question 1 is "No."  
The answer to Question 2 is "Yes."

  
Milton Friedman  
Neutral Member

Dated: Washington, D.C.  
June 10, 1969