

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES) The Cincinnati Union Terminal Company
TO) and
DISPUTE) Brotherhood of Railway, Airline & Steamship Clerks,
Freight Handlers, Express and Station Employees

QUESTIONS
AT ISSUE:

- (1) Does the substitution of data covering "cars and locomotives handled in and out of the Terminal" and "feet of mail handled by the Terminal" for "gross operating revenues" and "net revenue ton miles" respectively, as those terms are used in Article I, Sections 3 and 4 of the Agreement of February 7, 1965, provide an appropriate measure of volume of business of the Cincinnati Union Terminal Company?
- (2) If the answer to Question No. 1 is affirmative, should the Agreement proposed by the Carrier, attached hereto as Carrier's Exhibit No. 25, be entered into by the Organization representative in disposition of this matter?
- (3) If the answer to Question No. 1 is negative, what data should be substituted to provide an appropriate measure of volume of business, or in what manner or to what extent should the Carrier's proposed Agreement (Carrier's Exhibit No. 25) be amended or revised?

OPINION
OF BOARD:

The Carrier is a Terminal Company primarily engaged in providing facilities used as a passenger train station by the B & O, C & O, Southern, Penn Central, L & N, N & W and Pullman Companies.

The instant dispute is based upon the failure of the parties to find an appropriate measure of volume of business which is equivalent to the measure provided for in Article I, Section 3, of the February 7, 1965 National Agreement and Question and Answer No. 4, of the November 24, 1965 Interpretations.

In view of the fact that on this same date we considered a similar problem submitted in CL-33-E, Award No. 155, we are incorporating by reference herein, our remarks stated in that Award.

However, we would also include an additional element for the consideration of the parties. Initially, we would state that the parties are obligated to enter into a local agreement.

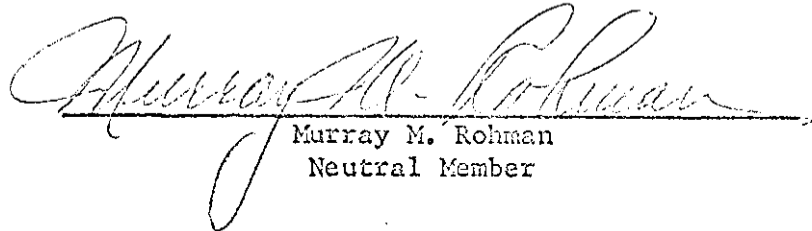
As a guideline for their negotiations, the parties should

consider the following:

1. Car and Locomotive count;
2. Feet of mail handled;
3. Number of Tickets sold;
4. Consideration of the revenue involved in these items;
5. As well as other related factors on the property.

Award:

The Questions at Issue are returned to the parties for negotiation of a local agreement in accordance with the Opinion.


Murray M. Rohman
Neutral Member

Dated: Washington, D. C.
November 17, 1969