

Award No. 86
UTU-T No. 1452-750
EL No. 8250

SPECIAL BOARD OF ADJUSTMENT NO. 727

PARTIES TO DISPUTE:

United Transportation Union - T
and
Erie Lackawanna Railway Company

STATEMENT OF CLAIM:

Claim of New York Division (M&E) District Trainman P. J. Moynihan on dates of January 21, 22, 23, 24, 25, 1969 for one day's pay at passenger rate on account of being held out of service illegally in violation of Paragraph 4-(E), Investigations of the Mediation Agreement, effective April 15, 1968.

FINDINGS:


Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board is duly constituted by agreement and has jurisdiction of the parties and of the subject matter.

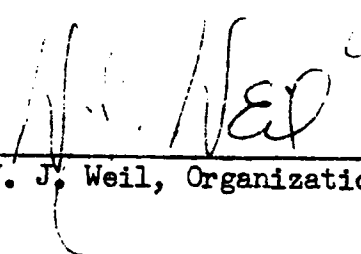
There is no evidence in the record to show that the claimant was furnished with a transcript of the investigation, as provided under Paragraph E of "Investigations" under the Mediation Agreement of March 30, 1968.

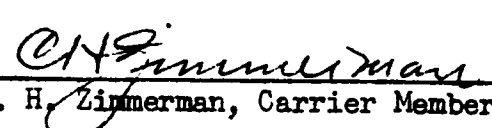
AWARD: Claim sustained.

Order

Carrier is hereby ordered to make effective Award No. 86, rendered by Special Board of Adjustment No. 727, on or before April 24, 1970.


Joseph Shister, Chairman


W. J. Weil, Organization Member


C. H. Zimmerman, Carrier Member

Cleveland, Ohio
March 25, 1970

Award No. 86