

NATIONAL RAILROAD ADJUSTMENT BOARD
Second Division

PARTIES TO DISPUTE:

SYSTEM FEDERATION NO. 99, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (MACHINISTS)
ILLINOIS CENTRAL SYSTEM

DISPUTE: CLAIM OF EMPLOYEES.—Was the Illinois Central Railroad within their rights by not allowing E. C. Hall his seniority when first employed by the Gulf and Ship Island Railroad as machinist April 7, 1915?

JOINT STATEMENT OF FACTS.—Below is a statement of Machinist E. C. Hall's service with the Gulf and Ship Island Railroad and the Illinois Central Railroad:

3-3-1906—Employed as machinists (G. & S. I.), Gulfport, Miss.

12-1-1907—Promoted to position of night foreman (G. & S. I.), Gulfport, Miss.

12-11-1911—Resigned.

4-7-1915—Re-employed as machinist (G. & S. I.), Jackson, Miss.

1-15-1916—Promoted to position of general foreman (G. & S. I.), Jackson, Miss.

7-4-1925—Position at Jackson, Miss., abolished; appointed general foreman (G. & S. I.), Hattiesburg, Miss.

11-3-1929—Position at Hattiesburg, Miss., abolished.

11-4-1929—Employed as machinist (I. C. Asylum shops), Jackson, Miss.

2-13-1930—Laid off account force reduction.

2-17-1930—Went to Paducah, Ky., (I. C.) as machinist.

9-9-1930—Laid off account force reduction at Paducah, and returned to I. C. Asylum shops, Jackson, Miss.

His seniority date is shown on the I. C. Asylum shops roster as of November 4, 1929.

POSITION OF EMPLOYEES.—Committee contends that Machinist E. C. Hall should be placed on seniority roster at Asylum shops, Jackson, Miss., the date of his first employment by the G. & S. I. Railroad, April 7, 1915. We contend that Machinist Hall should not lose his seniority date as it was through no fault of his that the Illinois Central Railroad purchased the G. & S. I., July 1, 1925.

Copies of various letters submitted showing handling on property.

POSITION OF CARRIER.—The facts in the case of Machinist Hall are clearly set forth in the Joint Statement. It will be noted he was first employed on the Illinois Central Railroad in our Asylum shops at Jackson, Miss., on November 4, 1929, having left the service of the Gulf and Ship Island Railroad at Hattiesburg, Miss., on November 3, 1929, when his position as general foreman at that point was abolished. A review of our records shows that as far back as September 11, 1930, Mr. Hall made request on our superintendent of motive power that he be granted seniority rights on the Illinois Central Railroad from April 7, 1915, the date he was last employed as machinist on the Gulf and Ship Island Railroad. The request was protested by the machinists employed in the Illinois Central Railroad's Asylum shops at Jackson, Miss. The request was declined, and later on the organization then representing the machinists took the matter up, and was advised by our general superintendent of motive power on February 27, 1931, that Mr. Hall's correct seniority date as a machinist in the Illinois Central Railroad's Asylum shops at Jackson, Miss., was November 4, 1929. Mr. Hall continued to write letters to various officers of the railroad about his seniority, and on March 18, 1931, the general superintendent of motive power again wrote him, explaining the situation. However, he continued to write about his case, and our general superintendent of motive power answered his several letters in an effort to satisfy him, but never changed his former decision in the case.

FINDINGS.—The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

The parties to said dispute waived right of appearance at hearing thereon.

An agreement was made between general superintendent of motive power and representatives of employes as to the proper seniority date of E. C. Hall.

AWARD

The Illinois Central was within their rights by not allowing E. C. Hall his seniority when first employed by the Gulf and Ship Island Railroad April 7, 1915.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: J. L. MINDLING

Secretary

Dated at Chicago, Illinois, this 14th day of April, 1936.