

LABOR MEMBER'S DISSENT TO

AWARD NO. 7525, DOCKET NO. 7476

The majority erred in this Award when it failed to properly adjudicate the very question that admittedly was decisive under the controlling Rule 11. The Award acknowledges the decisive question and the thrust of this schedule rule as:

"We conclude, however, the purpose served by this rule is to protect regularly assigned employees from the inconvenience and disruption entailed in shift changes for the convenience of the Carrier."  
(underscoring supplied)

The Claimant was not furloughed, was not properly allowed to exercise his seniority, was moved from job to job, shift to shift, rest day to rest day, all at the instance (convenience) of the Carrier. The Carrier caused the entire disruption at their instance to effect only a force realignment for their convenience and nobody in his correct mental state could even aver that the Claimant wasn't extremely inconvenienced.

Even the Carrier established these factors at numerous places in the record as criteria to cover shift change payments. Irrefutably these shift changes were for the convenience of the Carrier and entailing extreme inconvenience on the part of the Claimant. For these reasons and facts of record the Awards cited by the Organization should have been adopted by the neutral as the proper rationale and controlling.

We vigorously dissent.

  
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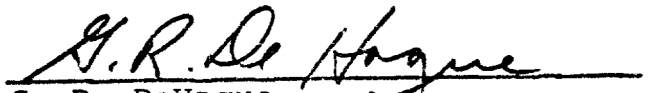
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