

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 11460
Docket No. 11206
88-2-86-2-6

The Second Division consisted of the regular members and in addition Referee Eckehard Muessig when award was rendered.

PARTIES TO DISPUTE: (International Brotherhood of Electrical Workers
(
(Consolidated Rail Corporation

STATEMENT OF CLAIM:

1. Claim of Radio Maintainers R. P. Siefert, R. M. Dudley, E. L. Bean, J. R. Buckley, E. L. Jones, J. B. Underwood, G. R. Jackson, and District Lineman L. L. Arthur for the following:

As a member of the I.B.E.W. (Communication Dept.) of Local 784, I am submitting a claim in accord with Rule 4-P-1(a) and (i) of the Agreement between the Consolidated Rail Corporation and the I.B.E.W. as follows:

That I have not saw on any bulletin board or have had sent to me a current seniority roster for either 1983 or 1984 at this date.

The Consolidated Rail Corporation has violated the rules of the following I.B.E.W. Agreements:

May 1, 1979 Agreement; - Rule 3-E-1 and 3-E-2

March 11, 1976 Agreement; VII EL and E2

This claim is primarily to enforce the scope of the current Agreements and solely in the interest of maintaining the integrity of the Agreements.

I am claiming one (1) call (three(3) hours at the over-time rate) per day for each day that this violation of the Agreement exists.

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 employes 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.

Parties to said dispute waived right of appearance at hearing thereon.

The claim arose after the Carrier failed to post the 1983 Seniority Roster for Radio Maintainers and belatedly posted the 1984 Roster.

The Board finds that the Carrier failed in its responsibility to issue the Seniority Rosters in a timely manner. While no harm has been shown, certainly, a matter such as this could affect significant rights of the craft and may not be taken lightly.

However, there is no Agreement support for the requested compensation, and it therefore is denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 6th day of April 1988.