

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 11715
Docket No. 11571-I
89-2-88-2-87

The Second Division consisted of the regular members and in addition Referee John C. Fletcher when award was rendered.

(D. C. Johnson
PARTIES TO DISPUTE: (
(Paducah and Louisville Railway, Inc.

STATEMENT OF CLAIM:

This is to serve notice, as required by the rules of the National Railroad Adjustment Board, of my intention to file an Ex Parte Submission within thirty (30) days covering an unadjusted dispute between me and the Paducah and Louisville Railway, involving the question: Changing of seniority roster with no written protest. This violates the work rules now in effect between P & L and its employees.

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employees 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 were given due notice of hearing thereon.

Representatives of the Craft of Machinists asked the Carrier to correct certain errors in seniority dates of Machinist Helpers. In correcting these errors Claimant was given the same date as another employee who previously was ranked below him. However, this other individual was now ranked above Claimant because of specific Agreement language placing the older individual ahead of the younger employee when both have the same roster date. It is this alteration in ranking which is the genesis of this Claim.

Upon examination of the entire record in this matter we are persuaded that the errors in posted seniority rosters were timely registered and corrected in accordance with the provisions of the Agreement. Moreover, there is no basis, under the Agreement, to grant the relief Claimant now requests.

The Claim will be denied.

Form 1
Page 2

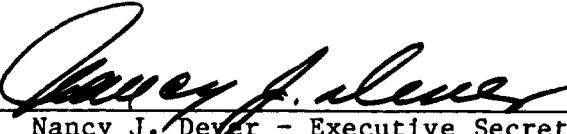
Award No. 11715
Docket No. 11571-I
89-2-88-2-87

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Deyer - Executive Secretary

Dated at Chicago, Illinois, this 26th day of April 1989.