

NATIONAL RAILROAD ADJUSTMENT BOARD
Second Division

PARTIES TO DISPUTE:

SYSTEM FEDERATION NO. 30, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (BOILERMAKERS)
BALTIMORE AND OHIO RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES.—That the seniority date of J. T. Williams, boilermaker, Cumberland, Md., be changed from January 28, 1915, to August 16, 1917.

JOINT STATEMENT OF FACTS.—J. T. Williams was employed as a boilermaker, January 13, 1911, at Mt. Clare, Baltimore, Md. On January 28, 1915, he took service as an electric welder at Cumberland, Md.

POSITION OF EMPLOYEES.—That John T. Williams, boilermaker, Cumberland, Md., was discharged on June 11, 1917, and that his seniority date now carried on the roster of January 28, 1915, should be changed to the date that he was re-hired as a boilermaker at Cumberland, which was on August 16, 1917.

The service record of John T. Williams shows that he was out of the service of the Baltimore and Ohio Railroad for some period of time after June 11, 1917.

We contend that the word "Furl'd" opposite the date 6-11-17 as shown on the service record of John T. Williams, which is submitted as Exhibit #16, is in error and should be shown "Discharged 6-11-17."

POSITION OF CARRIER.—That John T. Williams was not dismissed from the service June 11, 1917, as his official record as carried in our Record Bureau bears the following notation: "Furloughed June 11, 1917." "Reinstated (no date) 1917."

The record does not show the exact date of the month of June that he was reinstated, and there is no notation on his record showing that he was dismissed from the service. We submit that Williams was not officially dismissed from the service as contended by the committee, as all the evidence from the records does not sustain this contention and he is, therefore, entitled to his seniority date from the date he first accepted service as a boilermaker at Cumberland, January 28, 1915, his present seniority date.

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 were given due notice of hearing thereon.

The practices in effect on the Baltimore and Ohio Railroad, and from which this dispute originated, do not sustain the claim of the employes.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: J. L. MINDLING
Secretary

Dated at Chicago, Illinois, this 2nd day of October, 1936.