

NATIONAL RAILROAD ADJUSTMENT BOARD

Second Division

PARTIES TO DISPUTE:

INTERNATIONAL BROTHERHOOD OF FIREMEN, OILERS, HELPERS,
ROUNDHOUSE AND RAILWAY SHOP LABORERS

UNION PACIFIC RAILROAD COMPANY—NORTHWESTERN
DISTRICT

DISPUTE: CLAIM OF EMPLOYEES.—Claim of J. C. Camp, for seniority date of October 25, 1922, on seniority roster Group "A", covering classes listed in Article 4, Rule 18, Section (a), agreement with Brotherhood of Firemen & Oilers, effective November 1, 1934, and for difference in rate of pay between that received by him and compensation he contends he would have received on basis of seniority date claimed from April 29, 1925, to date.

JOINT STATEMENT OF FACTS.—J. C. Camp entered service on position of "enginehouse worker", LaGrande, Oregon, October 25, 1922. Transcript of his personal record shows service since that date as follows:

From—	To—	Classification	From—	To—	Classification
Oct. 25, 1922	Dec. 29, 1922	Enginehouse worker.	Aug. 2, 1928	Aug. 11, 1928	Machinist helper.
Dec. 29, 1922	Oct. 10, 1924	Machinist helper.	Aug. 11, 1928	Feb. 26, 1928	Machinist.
Oct. 10, 1924	Oct. 12, 1924	Machinist.	Aug. 26, 1928	Aug. 29, 1928	Machinist helper.
Oct. 12, 1924	Dec. 6, 1924	Machinist helper.	Aug. 29, 1928	Sept. 10, 1928	Machinist.
Dec. 6, 1924	Dec. 8, 1924	Machinist.	Sept. 10, 1928	Sept. 12, 1928	Machinist helper.
Dec. 8, 1924	Dec. 13, 1924	Machinist helper.	Sept. 12, 1928	Nov. 1, 1928	Machinist.
Dec. 13, 1924	Apr. 7, 1925	Mach. and mach. helper.	Nov. 1, 1928	Feb. 16, 1929	Machinist helper.
Apr. 7, 1925	May 1, 1925	Staty. fireman.	Feb. 16, 1929	Feb. 18, 1929	Machinist.
May 1, 1925	Dec. 24, 1925	Machinist helper.	Feb. 18, 1929	Aug. 22, 1929	Machinist helper.
Dec. 24, 1925	Dec. 25, 1925	Machinist.	Aug. 22, 1929	Nov. 26, 1929	Machinist.
Dec. 25, 1925	May 5, 1927	Machinist helper.	Nov. 26, 1929	Mar. 21, 1931	Machinist helper.
May 5, 1927	May 8, 1927	Machinist.	Mar. 21, 1931	June 1, 1931	Enginehouse worker.
May 8, 1927	Sept. 17, 1927	Machinist helper.	June 1, 1931	June 15, 1931	Coach cleaner.
Sept. 17, 1927	Sept. 18, 1927	Machinist.	June 15, 1931	Oct. 18, 1931	Machinist helper.
Sept. 18, 1927	May 5, 1928	Machinist helper.	Oct. 18, 1931	Feb. 9, 1932	Coach cleaner.
May 5, 1928	May 7, 1928	Machinist.	Feb. 9, 1932	Feb. 24, 1932	Machinist helper.
May 7, 1928	May 16, 1928	Machinist helper.	Feb. 24, 1932	Mar. 9, 1932	Coach cleaner.
May 16, 1928	May 21, 1928	Machinist.	Mar. 9, 1932	Mar. 22, 1932	Machinist helper.
May 21, 1928	Feb. 23, 1928	Machinist helper.	Mar. 22, 1932	May 2, 1933	Coach cleaner.
May 23, 1928	Aug. 2, 1928	Machinist.	May 2, 1933	-----	Fire knocker and fire builder.

Subsequently he has been employed in various classifications listed in Group B, Rule 1, Article 1—Scope, Firemen & Oilers agreement effective November 1, 1934. He is at this time employed as supplyman, a position listed in Group B, Rule 1, Article 1.

Article 4, Rule 16, provides that:

"Seniority begins at the time employee's pay starts."

Article 4, Rule 17, provides that:

"Rights accruing to employees under their seniority, entitle them to consideration for positions in accordance with their relative length of service with the railroad, as hereinafter provided."

Article 4, Rule 18, provides that:

"Seniority rights of all employees shall be confined to the point employed and three sub-divisions as follows:

"(a) Power plant forces include engineers-in-charge, stationary engineers, stationary firemen, engine room oilers and coal passers.

"(b) Locomotive handling and preparatory forces include locomotive

J. C. Camp's seniority date of April 7, 1925, in this group is the date he held position of stationary fireman. Transcript of his personal record shown above indicates that he held this position for twenty-one days and that this is the only service he performed at any time during his service with the company in a position listed in Rule 18, Group A above.

J. C. Camp declined to subscribe to the conclusions of the joint committee as set forth in the agreement of November 19, 1934, and his contention was the subject of further review by the general chairman and vice president of the International Brotherhood of Firemen & Oilers. This review supported the findings of the joint committee as set forth in the agreement of November 19, 1934.

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

The Railway Labor Act (as approved June 21, 1934), among its many provisions, prescribes:

"GENERAL PURPOSES

"SEC. 2. * * * (4) ; to provide for the prompt and orderly settlement of all disputes concerning rates of pay, rules, or working conditions; (5) to provide for the prompt and orderly settlement of all disputes growing out of grievances or out of the interpretation or application of agreements covering rates of pay, rules, or working conditions."

Also:

"GENERAL DUTIES

"Second. All disputes between a carrier or carriers and its or their employes shall be considered, and, if possible, decided, with all expedition, in conference between representatives designated and authorized so to confer, respectively, by the carrier or carriers and by the employes thereof interested in the dispute."

This dispute was handled in accordance with the above provisions of the amended Railway Labor Act and properly settled between the duly authorized representatives of the employes and the carrier.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: J. L. MINDLING
Secretary

Dated at Chicago, Illinois, this 20th day of October, 1936.