

**Award No. 4251
Docket No. 4233
2-AT&SF-EW-'63**

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Curtis G. Shake when the award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 97, RAILWAY EMPLOYES'
DEPARTMENT, A. F. of L. — C. I. O. (Electrical Workers)**

**ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY
(Western Lines)**

DISPUTE: CLAIM OF EMPLOYES:

1. That under the current controlling agreement, Electrician Apprentice, Clifford Jones was unjustly dealt with and the provisions of the current agreement were violated when the Carrier promoted Electrician Apprentice, W. A. Thornton, January 13, 1960.

2. That under the current controlling agreement, Electrician Apprentice, Clifford Jones was unjustly dealt with and the provisions of the current agreement were violated when the Carrier refused to compensate Clifford Jones the difference in the rate of pay between an electrician apprentice and an electrician's rate, from January 13, 1960, forward, until corrected.

3. That accordingly, the Carrier be ordered to compensate Clifford Jones for wages lost from January 13, 1960, forward, until violation is corrected.

EMPLOYES' STATEMENT OF FACTS: Electrician Apprentice Clifford Jones, hereinafter referred to as the claimant, was indentured as an electrician apprentice, by the Atchison, Topeka and Santa Fe Railway System, hereinafter referred to as the carrier, in their mechanical department at Albuquerque, New Mexico, April 5, 1957. The claimant is regularly employed by this carrier on an hourly basis, Monday thru Friday, rest days Saturday and Sunday. The claimant is one of several electrician apprentices employed by this carrier in their mechanical department of the Western Lines Grand Division, which Albuquerque is a part.

The carrier reasserts that the employes' claim is entirely without support under the governing Agreement rules or interpretations thereof and should be denied in its entirety.

Carrier is uninformed concerning the arguments and evidence that might be presented by the employes in this claim, and accordingly reserves the right to submit such additional facts, evidence and argument it might conclude are necessary in reply to the ex parte submission of the employes in this dispute:

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.

Parties to said dispute were given due notice of hearing thereon.

For the reasons stated in Award No. 4250 (Docket No. 4232), the Board finds that Electrician Apprentice W. A. Thornton was properly placed on the roster of apprentices and that Electrician Apprentice Clifford Jones was properly furloughed on January 13, 1960.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 24th day of June, 1963.