

CORRECTED

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 11546
Docket No. 11214-I
88-2-86-2-8

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

(Wallace E. Hill, Jr.

PARTIES TO DISPUTE: (

(Seaboard System Railroad

STATEMENT OF CLAIM:

I claim that, on January 14, 1984, Mr. J. T. Williams, Director of Labor Relations Seaboard System Railroad and Mr. C. A. Meredith, General Chairman, I.B.E.W. Council No. 6, violated the controlling agreement when they changed W. E. Hill, Electrician, seniority date from July 1, 1974 to October 31, 1978.

The above parties are in violation of rule 145 and other pertinent rules. W. E. Hill's seniority date of July 1, 1974 was established by prior protest to Mr. John M. Sale, Director Labor Relations, Louisville Nashville Railroad on January 7, 1982. The original protest was filed October 21, 1981 because the Carrier had not allowed the Claimant equal opportunity other men hired had, when hired by Louisville Nashville Railroad. Claimant had four years electrical experience prior to being hired by Mr. Key, Employment Officer for LNRR which he was not given credit for at time of hire.

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 were given due notice of hearing thereon.

In this dispute, the Claimant contends that the parties violated the Agreement when they changed his seniority date from July 1, 1974 to October 31, 1978.

The Board has carefully reviewed the voluminous record developed by the parties concerning the Claimant's Claim. We have also carefully considered and studied the Claimant's well-reasoned comments before us. Certainly, given the sequence of events which occurred and the changes made with


respect to the Claimant's seniority date, the Board understands the Claimant's belief that his seniority date should be reestablished as of July 1, 1974. However, for the reasons as mainly advanced by the Carrier, we conclude that the issue at dispute has been settled by the parties and we have no basis, given the facts before us, to alter the settlement agreed upon by the parties.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 31st day of August 1988.