

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD  
SECOND DIVISION

Award No. 11717  
Docket No. 11618-I  
89-2-88-2-123

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

(Joseph T. Wurth

PARTIES TO DISPUTE: (

(Paducah and Louisville Railway, Inc.

STATEMENT OF CLAIM:

On February 8, 1988 the machinist seniority roster, dated 1/1/88 was posted. V. D. Johnson was placed out of sequence and ahead of me on this roster with respect to the roster dated 1/1/87, and on every roster previously posted since the P & L began operation. Rule 14 (b) states; "The roster will be revised and posted in January of each year and will be open to protest (for errors associated with the new roster only) for a period of thirty days from the date of posting and upon presentation of proof (sic) of error by an employee, or his representative, such errors shall be corrected." This rule has been violated. I will request in my submission that the machinist rosters, now and in the future, be corrected to reflect the order as the 1987 machinist roster.

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.

On or about March 23, 1987, certain alleged errors in posted seniority rosters were brought to Carrier's attention by Machinist's representatives. These errors were corrected. In effecting these corrections Claimant's roster standing was altered. It is this change in roster position that 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.

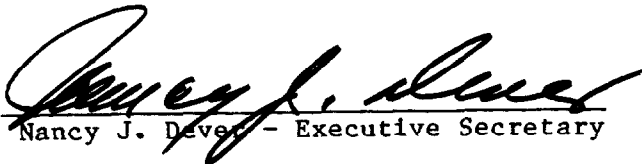
The Claim will be denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:

  
Nancy J. Dever - Executive Secretary

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