

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 12560
Docket No. 12457
93-2-91-2-265

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

PARTIES TO DISPUTE: (Brotherhood Railway Carmen/Division TCU
(CSX Transportation, Inc. (former Chesapeake
(and Ohio Railway Company)

STATEMENT OF CLAIM:

- "1. That the Chesapeake & Ohio Railroad Company (CSX Transportation, Inc.) (hereinafter 'carrier') violated the provisions of Rules 157 and 158 of the Shop crafts Agreement and Article VII of the December 4, 1975 National Agreement between Transportation Communications International Union-Carmen's Division and the Chesapeake & Ohio Railroad Company (CSX Transportation, Inc) (revised June 1, 1969) and the service rights of Carmen J. Suttles, R. Harbolt, S. Harris, R. Howard and S. Trimble, the wrecking crew members at Russell Yard, Russell, Kentucky (hereinafter 'claimants') when the carrier abolished the six (6) wreck crew on July 25, 1990.
2. That accordingly, the carrier be ordered to bulletin the proper number of positions to the wreck crew to the same number of positions in effect as of the date of the December 4, 1975 National Agreement. Further, that the claimants be compensated for all losses sustained as a result of the carrier's abolishment of the wrecking crew positions."

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 waived right of appearance at hearing thereon.

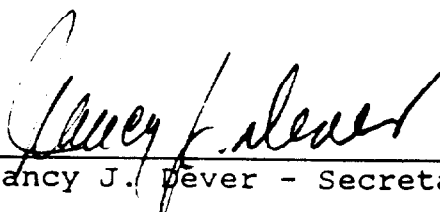
On July 25, 1990, Carrier sold its wrecking derrick assigned at Russell, Kentucky, for scrap. Since the wrecking outfit was no longer available, the wrecking crew was abolished. The Organization contends that these abolishments violated its Agreement and seeks an order from this Board that the crew be reestablished and that former members of the crew be compensated for wages lost.

The record does not establish that the scrapping of the wrecker derrick and the abolishment of the wrecking crew was in violation of Rules 157 or 158, or Article VII of the December 4, 1975 National Agreement. The Claim is without merit.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: 
Nancy J. Dever - Secretary to the Board

Dated at Chicago, Illinois, this 11th day of August 1993.