

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

CLARENCE R. JONES AND JOE MARTIN

MISSOURI-ILLINOIS RAILROAD COMPANY

and

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

STATEMENT OF CLAIM: The purpose of such notice is to establish the seniority rights of we men involved. To clear up a disagreement between Mr. W. E. Laird, Division Engineer, Missouri-Illinois Railroad and Mr. B. W. Smith, Chief Personnel Officer.

Mr. Laird contends that the seniority of we men expired on January 21st, 1961.

OPINION OF BOARD: The issue here is whether the seniority rights of Claimants Joe Martin and Clarence Jones terminated because of not performing service on their respective "home seniority districts" on January 21, 1959 (Claimant Martin) and in September, 1958 (Claimant Jones).

The rules of the controlling Agreement, together with the interpretation mutually applied thereto by the Carrier and by the Organization impel a denial of the Petitioners' claim.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 14th day of September, 1964.