

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award **Number** 20645  
Docket Number SC-20417

Robert A. **Franden**, Referee

(Brotherhood of Railroad Signalmen

**PARTIES TO DISPUTE:** {

(Chicago, **Rock** Island and Pacific **Railroad Company**

**STATEMENT OF CLAIM:** Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Chicago, Rock Island and Pacific Railroad Company that:

(a) Carrier improperly classed Signal **Maintainer M. D.** Stowe as a disqualified sub-standard **employee**, and improperly required Stowe to **sign** a letter of understanding to that effect.

(b) Carrier should remove the "disqualified sub-standard" classification from **Mr.** Stowe and remove the letter of understanding referred to in part (a) above from his Personal Record File. (Carrier's File: PR-M.D. Stowe)

**OPINION OF BOARD:** This claim is based upon the Carrier's classifying the Claimant as a "disqualified sub-standard **employee**" due to a health condition. The **Claimant** signed a letter concurring with the designation agreeing to retire at age 65.

We find no provision in the Agreement that prohibits the Carrier from classifying the Claimant in the **manner** described in this case.

The Claimant's retirement at age 65 is not at issue in that he is still in the service of the Carrier.

**FINDINGS:** The Third Division **of** the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

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.

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**Claim** denied.

**NATIONAL RAILROAD ADJUSTMENT** BOARD  
By Order of Third Division

ATTEST: *A. W. Paulos*  
Executive Secretary

Dated at Chicago, Illinois, this **21st** day of March 1975.