NATIONAL RAILROAD ADJUSTMENT BOARD

Award Number 25605

THIRD DIVISION Docket Number SG-25204

Eckehard Muessig, Referee

PARTIES TO DISPUTE; (Brotherhood of Railroad Signalmen
(Burlington Northern Railroad Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Burlington Northern Railroad:

On behalf of Mr. K. Hill, Signalman, Memphis, Tennessee Signal Crew, for moving benefits as provided in Rule 31 of the Agreement between the St. Louis - San Francisco Railway Company and the Brotherhood of Railroad Signalmen (Rule 32 of the Burlington Northern-Brotherhood of Railroad Signalmen Agreement) on account of the Carrier making technological, operational, or organizational change. [General Chairman file: F-82-283. Carrier file: SI 82-6-3B]

OPINION OF BOARD: This claim arose after the Carrier abolished its Signal Gang 6A in Memphis, Tennessee and re-established a Gang in Amory, Mississippi. The Claimant, whose position had been abolished at Memphis (Gang 6A), bid for and was awarded a position on the Gang established at Amory. Article VIII of the November 16, 1971 National Mediation Agreement, is controlling here since the basic question is whether or not a 'technological, operational or organizational change" occurred requiring the Claimant to move his residence.

In its Ex Parte Submission before this Board, the Organization has taken the position that the change carried out by the Carrier, was a technological, operational or organizational one, although it did not specify which. On the property, however, the General Chairman asserted that the Carrier had effected an operational change.

We cannot accept the contention that all three types of change were involved. Since the only specific type of change asserted is that made by the General Chairman, the Board will accept that to be the Petitioner's position. However. the record does not show how the Carrier's operations were changed so as to necessitate the Claimant's incurring of the expenses claimed. Accordingly, we must deny the claim.

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 Employes involved in this dispute are respectively Carrier and Employes 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.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 22nd day of August 1985.