

NATIONAL RAILROAD ADJUSTMENT BOARD**THIRD DIVISION**

(Supplemental)

John H. Dorsey, Referee

PARTIES TO DISPUTE:**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES****CENTRAL OF GEORGIA RAILWAY COMPANY**

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood that:

(1) The Carrier violated the agreement when, effective at 12:01 P. M., July 24, 1963, it abolished the positions of Junior Apprentice Foreman and one Laborer assigned to Section 6 headquartered at Chattanooga, Tennessee and effective July 31, 1963 abolished Section 6 in its entirety and transferred the work to employes of the Southern Railway who are not covered by the agreement, and as a result thereof:

(2) Junior Apprentice Foreman T. A. Pruitt and Track Laborer L. Polard, Ident. No. 69295, and/or any employes that may affect through the exercise of their seniority, each be paid at his respective straight time rate of pay beginning at 12:01 P. M., July 24, 1963 and to continue until the settlement of this claim, and in addition:

(3) Track Foreman L. O. McKibben, Ident. No. 56900, and Track Laborers B. L. Dyer, Ident. No. 24169, W. L. Beasley, Ident. No. 5025, W. Gordon, Ident. No. 31110, and J. Gant, Ident. No. 28830, and/or any employes they may affect through the exercise of their seniority, each be paid at his respective straight time rate of pay beginning August 1, 1963 and to continue until the settlement of this claim.

OPINION OF BOARD: This case involves the same parties and issues as in Award No. 15028. For reasons stated in that Award we find and award

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 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 Central violated the Agreement.

AWARD

Paragraph 1 of Claim sustained.

Paragraph 2 and 3 of Claim sustained to extent of application of formula prescribed in II (C) of Opinion in Award No. 15028.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 9th day of December 1966.

CARRIER MEMBERS' DISSENT TO AWARD 15029,
DOCKET MW-15590
REFEREE JOHN H. DORSEY

The dissent to Award No. 15028, Docket MW-15589, is applicable to Award No. 15029, Docket MW-15590.

/s/ **R. A. DeRossett**
R. A. DeRossett

/s/ **W. B. Jones**
W. B. Jones

/s/ **C. H. Manoogian**
C. H. Manoogian

/s/ **J. R. Mathieu**
J. R. Mathieu

/s/ **W. M. Roberts**
W. M. Roberts