

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22200  
Docket Number SG-21930

Joseph A. Sickles, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen  
(  
(Missouri Pacific Railroad Company  
( (Former Chicago & Eastern Illinois R.R.)

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Chicago & Eastern Illinois Railroad:

On behalf of Signal Maintainer Ronald Allsbury, headquartered at Yard Center, for transfer allowance benefits provided under Sections 10 and 11 of the Washington Job Protection Agreement and under the November 16, 1971 Agreement, for his move from Sedalia, Mo., to Yard Center during September 1975. \$400 transfer allowance, 5 days pay, \$520.79 moving expenses."

/Carrier file: K 225-536 cc: 217-257

OPINION OF BOARD: Article VIII of the 1971 National Agreement provides that certain geographic moves as a result of "...technological, operational, or organizational change..." entitle employees to benefits of Sections 10 and 11 of the Washington Job Protection Agreement, as altered by the Agreement.

The Organization cites certain Interstate Commerce Commission activity and history pertinent to this dispute; as well as various asserted Carrier interrelationships.

As a result of certain position abolishments, and claims by other interests, Claimant was required to exercise seniority to a Signal Maintainer position at a location near Chicago, and he submitted a request for reimbursement of certain expenses incurred in his move from Sedalia, Missouri.

The employees assert that Carrier action of changes of positions at Sedalia were of a nature covered by the phrase "change" in the Agreement.

In addition to its assertion that the claim was not submitted in the proper manner on the property, Carrier asserts that the Claimant was assigned to the Sedalia Signal Shop in accordance with a January 21, 1970 agreement, and his position was abolished pursuant to that agreement.

The Claimant has the burden of proving its contention of a violation and we are unable to find that it has submitted such proof. Our conclusion is not diminished by recent Award 22012.

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 claim be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

A. W. Paulos  
Executive Secretary

Dated at Chicago, Illinois, this 13th day of October 1978.

