

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 24454
Docket Number SG-24534

Edward L. Suntrup, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(Consolidated Rail Corporation

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Consolidated Rail Corporation (former Lehigh Valley Railroad):

SYSTEM DOCKET 1604
ATLANTIC REGION

Grievance on behalf of all Brotherhood of Railroad Signalmen employees throughout the Conrail System and especially those in CRC Seniority Districts 4, 8, 10 and 11, whose seniority in the Signal Mechanics class was changed on the 1980 rosters for those districts by a letter of interpretation dated July 20, 1979, by J. R. Walsh, Senior Director of Labor Relations. That letter related to modification of the Training Agreement of December 14, 1976."

OPINION OF BOARD: Claim before the Board centers on Carrier memo of July 20, 1979 signed by General Chairman B. E. Britcher, which is a letter of interpretation of the intent of a letter of June 21, 1978, signed by four General Chairmen of the Organization which, in turn, was an interpretation of a Training Agreement between the Carrier and the Organization.

The merits of the instant case before the Board notwithstanding, the record shows that the intent of claim does not center on the interpretation of contracts, which alone falls under the jurisdiction of the National Railroad Adjustment Board. This dispute involves the validity of an Agreement, not its meaning, and by reference to First Division Awards 21459; 21460; 23135 and Supreme Court Decisions BRT v Howard (343 U.S. 768) and Felter v Southern Pacific (359 U.S. 326) this Board has no jurisdiction herein to resolve issue at bar. Nor does the Board have authority to question credentials of those who are signatory to Agreements protected by the Railway Labor Act. That a valid Agreement herein exists is supported by the record by reference, inter alia, to Organization's own Exhibits 12 and 24.

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 claim is barred.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: Acting Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 29th day of June 1983.

