

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 25509
Docket Number SG-24670

Josef P. Sirefman, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(The Chesapeake and Ohio Railway Company
(Pere Marquette District)

STATEMENT OF CLAIM: Claims of the General Committee of the Brotherhood of Railroad Signalmen on The Chesapeake and Ohio Railway Company (Pere Marquette District):

Claim No. 1. General Chairman file: 81-13-PM. Carrier file: SG-629.

(a) Carrier is in violation of the parties' Communication Agreement, as amended, particularly Number of Assistants Rule 301, when it allows the ratio of Assistants on the Line Gang Force 1891 to be more "than one Assistant for each three Maintainers (Linemen) employed."

(b) Carrier take necessary action to reduce the number of Assistants (sic) positions assigned to Line Gang Force 1891 to a number consistent with content of Rule 301.

Claim No. 2. General Chairman file: 81-13-PM(1). Carrier file: SG-631.

(a) Carrier is in violation of the parties' Communication Agreement, as amended, particularly Rule 304, when employees assigned to Assistant positions on Communication Force 1891 are not transferred "in order to afford them an opportunity to acquire knowledge and training in all branches of their work."

(b) Carrier now take necessary action to comply with the requirement of Rule 304 by requesting the Brotherhood's concurrence in a "written agreement" to transfer each Assistant to positions "where they will have opportunity to avail themselves of the necessary training and experience to thereby assist them in qualifying for positions of Maintainers" and "in order to afford them an opportunity to acquire knowledge and training in all branches of their work."

OPINION OF BOARD: The two rules in contention here are 301 and 304(a). A review of the record before this Board establishes that Rule 301 was intended to be viewed in terms of the entire Seniority Roster, and in that context the number of Assistants (Maintainers) was proper. With respect to Rule 304(a), which contemplates rotation of Assistants for training purposes, there is nothing in the record to indicate that the parties intended positions to be established for the purpose of providing such rotation. In view of the conclusions reached by this Board it is not necessary to consider the procedural issue raised.

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.

A W A R D

Claims denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Lever - Executive Secretary

Dated at Chicago, Illinois, this 13th day of June 1985.

