

PUBLIC LAW BOARD NO. 1760

Award No. 115

Case No. 115

Carrier File MW-DEC-87-10

Parties Brotherhood of Maintenance of Way Employees  
to and  
Dispute Norfolk and Western Railway Company

Statement

of Claim: R. L. Odle-Requesting that he be awarded traveling equipment repairman position.

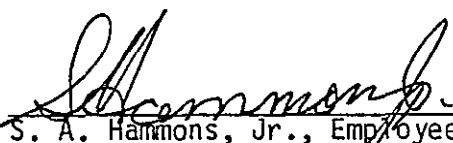
Findings: The Board has jurisdiction of this case by reason of the parties Agreement establishing this Board therefor.

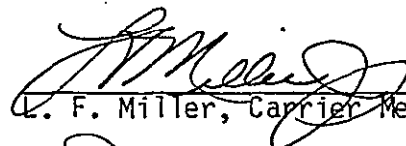
Bulletin No. 430, dated December 15, 1986, advertised a position for Roadway Equipment Repairman, located at Decatur Division, Decatur, Illinois working with TS26 Gang. Bulletin No. 486 dated January 9, 1987 awarded this position to T. V. Richards, Roadway Equipment Repairman, with a seniority date of May 29, 1985. Claimant R. L. Odle with a seniority date as Equipment Repairman August 23, 1984, furloughed at the time bid thereon and was not awarded the position. He was advised January 6, 1987 by the Assistant Engineer-Roadway Equipment that his bid was rejected because he could not fill the requirements of his position as he did not have a valid driver's license.


This particular claim will be sustained because two people are assigned to the same one truck. Normally, they are assigned two trucks. In any event, Bulletin 430 failed to show the requirement of a valid driver's license. Those particular circumstances, impels the Board to sustain the claim.

Award: Claim sustained as per findings.

Order: Carrier is directed to make this Award effective within thirty (30) days of date of issuance shown below.

  
S. A. Hammons, Jr., Employee Member

  
L. F. Miller, Carrier Member

  
Arthur T. Van Wart, Chairman  
and Neutral Member

May 27 1991  
Issued September 27, 1990.