

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.

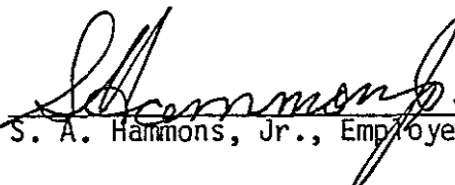
Findings: The Board has jurisdiction of this case by reason of the
parties Agreement establishing this Board therefor.


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 24 1991
Issued September 27, 1990.