

PUBLIC LAW BOARD NO. 76

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

VS.

MISSOURI-KANSAS-TEXAS RAILROAD COMPANY

Roy R. Ray, Referee

STATEMENT OF CLAIM:

1. The name of Mr. R. A. Woods is improperly posted as Foreman on the Seniority Roster (1968) identified as Seniority District No. 2.
2. The name of Mr. R. A. Woods with a seniority date as Section Foreman of July 19, 1968, to be stricken from this Roster.

OPINION OF BOARD:

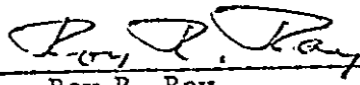
This is a companion case to the dispute involved in Docket No. 19. There the Organization complained of the assignment of R. A. Woods on July 19, 1968 to the position of Extra Gang Foreman instead of A. M. Lahey who held seniority as Track Laborer. Some time later Carrier gave Woods a seniority date as Foreman as of July 19, 1968. The present claim protests the listing of Woods with a seniority date as Track Foreman on the ground that his assignment to the position was contrary to the provisions of the Agreement.

The parties have taken the same positions and advanced the same arguments as they did in Docket No. 19. The issue presented is the same, i.e., Did the assignment of Woods violate the Agreement between the parties? We have answered this question in the negative in Award 19 where our reasons are set forth fully. Our decision there controls this case.

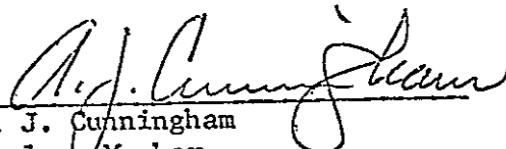
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The claim is denied.

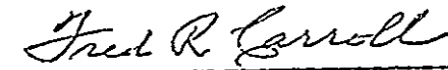
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Roy R. Ray
Neutral Member and Chairman



A. J. Cunningham
Employee Member



Fred R. Carroll
Carrier Member

Dallas, Texas,
October 31, 1969