

SPECIAL BOARD OF ADJUSTMENT NO. 1048

Award NO. 37

Parties to Dispute:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

AND

NORFOLK AND WESTERN RAILWAY COMPANY

Statement of Claim:

Claim on behalf of D. M. Damewood for a return to service in the M/W Department by assignment to the first rate carpenter position awarded by Bulletin 44771 dated January 29, 1992 and any difference in rate between first rate carpenter and laborer in the Mechanical Department.

[Carrier File: MW-BLUE-92-8-BB-154]

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

AWARD

After thoroughly reviewing and considering the record and the parties' presentations, the Board finds that the claim should be disposed of as follows:

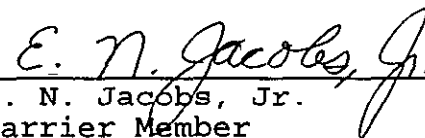
Claimant resigned from the Maintenance of Way Department. He lost his seniority when he resigned. Accordingly, he was not entitled to bid on and be awarded Bulletin No. 44771.

Claim denied.


John C. Fletcher



Richard A. Lau
Organization Member


E. N. Jacobs, Jr.
Carrier Member

Issued at Norfolk, Virginia on August 30, 1993