

NATIONAL MEDIATION BOARD
SPECIAL BOARD OF ADJUSTMENT NO. 1049

JOHN C. FLETCHER, CHAIRMAN & NEUTRAL MEMBER
E. N. JACOBS, JR., CARRIER MEMBER
RICHARD A. LAU, ORGANIZATION MEMBER

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

and

NORFOLK SOUTHERN RAILWAY COMPANY

Award No. 83
Case No. 83

Date of Hearing - August 1, 1997
Date of Award - December 27, 1997

Statement of Claim:

1. The Carrier violated the Agreement when it improperly listed Mr. J. R. Chrisman as having a B&B Helper seniority date of November 18, 1983 and Mr. D. M. West, Jr., as having a B&B Helper seniority date of October 29, 1984 on the January 25, 1995 B&B Subdepartment Northwest Region Seniority Roster (System File JRK0597/CS-MW-1-58-2).
- 2) As a consequence of the above stated violations Mr. J. R. Chrisman shall now have his seniority date on the roster changed to reflect a February 20, 1987 date and Mr. D. M. West, Jr. Shall now have his seniority date on the roster changed to reflect a June 10, 1987 date.

FINDINGS:

Special Board of Adjustment No. 1049, upon the whole record and all of the evidence, finds and holds that the Employee(s) and the Carrier are employee and carrier within the meaning of the Railway Labor Act, as amended; and, that the Board has jurisdiction over the dispute(s) herein; and, that the parties to the dispute(s) were given due notice of the hearing thereon and did participate therein.

This dispute arises because Mr. Chrisman and Mr. West inadvertently had their names omitted from the applicable seniority roster. When the 1996 roster was prepared the omitted names were corrected to reflect proper seniority dates.


The Board has been furnished with no information to indicate that 1996 roster dates of Chrisman and West are not their correct dates. We also have not been furnished with an acceptable basis to conclude that the insertion of the


omitted names in their correct position on the 1996 roster was somehow or other in error.

Accordingly, the claim will be denied.

A W A R D

Claim denied.



John C. Fletcher, Chairman & Neutral Member

E. N. Jacobs, Jr., Carrier Member

Richard A. Lau, Employee Member

Dated at Mt. Prospect, Illinois., December 27, 1997