

AWARD NO. 34  
CASE NO. 34

SPECIAL BOARD OF ADJUSTMENT NO. 171

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES

VS

GREAT NORTHERN RAILWAY COMPANY

STATEMENT OF CLAIM:

Claim of the System Committee of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees that the Carrier violated the current agreement.

1. When they abolished two positions of Assistant Warehouse Foreman and concurrently therewith established two positions of Warehouse Foreman at Great Falls, Montana.

2. That the Carrier be required to compensate Thomas Chavez for all wage loss sustained commencing with the date of November 26, 1956 and for all dates subsequent thereto because of the abolishment of his position.

3. That the Carrier be required to compensate Charles Campbell for all wage loss sustained commencing with the date of November 26, 1956 and for all dates subsequent thereto because of the abolishment of his position.

4. That the Carrier be required to compensate all other employees adversely affected for all wage loss sustained by reason of this violation.

FINDINGS: This Special Board of Adjustment upon the whole record and all the evidence, finds that:

The claimants contend that the Carrier has violated Rule 3(b) of the Effective Agreement. This rule states that certain positions are excepted from the application of promotion, assignment and displacement rules. Under Rule 3(b), we find that Foremen come under this rule at Great Falls Freight Yard.

The claimants state that when the agreement was originally written it was the intent of the parties that the plural would be designated 'Chief Clerks' and 'Foremen', simply because there was more than one station involved. It was never intended that there would be more than one foreman at each of these stations.

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The Board finds that the contention of the claimants is not well founded, as the word 'Foremen' is used in the rule and that the Board is bound by the rule. Therefore, the Carrier did not violate Rule 3(b) when it established two (2) new Foremen positions at Great Falls on November 23, 1956.

A W A R D

Claim denied.

/s/ Thomas C. Begley  
Thomas C. Begley, Chairman

/s/ C. A. Pearson  
C. A. Pearson, Carrier Member

/s/ C. C. Denewith  
C. C. Denewith, Employee Member

Signed at St. Paul, Minnesota this 10th day of December, 1958.