

SPECIAL BOARD OF ADJUSTMENT No. 293

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus
THE CENTRAL RAILROAD COMPANY OF NEW JERSEY

STATEMENT OF CLAIM:

- (1) That Carrier violated the effective Agreement by abolishing the position of Foreman Machinist on the New York and Long Branch Division and assigning the former duties of that position to the Master Carpenter on the NY&LB Division as of October 26, 1959.
- (2) That the Carrier now advertise for bids the position of Foreman Machinist on the New York and Long Branch Division in accordance with the provisions of Rule 5 of the working agreement.
- (3) That the senior applicant subsequently awarded the position of Foreman Machinist be reimbursed for the difference in rate of pay between that of the Foreman Machinist and what he did receive in the position worked since September 26, 1959.

OPINION OF BOARD:

As of September 25, 1959, the last day Foreman Machinist Jones worked for the Carrier on its NY&LB Division, (and for two months prior thereto) there was only one employe in the Machinist craft for him to supervise. Since that time there have been no more than two employes in the craft on the subject Division. It is quite apparent that the machinist supervisory functions of the Foreman position had all but disappeared. Under the unusual facts of this case we conclude that the Carrier did not violate the Agreement by placing the one or two remaining Machinists under the immediate supervision of the Master Carpenter, to whom Foreman Machinist Jones had reported insofar as his Machinist supervisory functions were concerned.

A W A R D

Claim denied.

(s) Lloyd H. Bailer
Lloyd H. Bailer, Neutral Member

(s) A. J. Cunningham
A. J. Cunningham, Employee Member

(s) C. S. Strang
C. S. Strang, Carrier Member

Jersey City, N. J.
January 25, 1962