

AWARD NO. 47  
CASE NO. 47

SPECIAL BOARD OF ADJUSTMENT NO. 421

TRANSPORTATION-COMMUNICATION EMPLOYEES)  
UNION

vs.

NEW YORK CENTRAL RAILROAD, EASTERN  
DISTRICT (Except Boston and Albany  
Division) and NEW YORK DISTRICT



STATEMENT OF CLAIM:

Claim of the General Committee of the Transportation-Communication Employees Union on the New York Central System (Eastern District), that:

1. Carrier violated the terms of the agreement between the parties when, effective August 27, 1965, it abolished the 7-day positions of Leverman-CTC-Operator at Interlocking-47, Buffalo, New York, and transferred the work of such positions to employees outside the scope of the Agreement.
2. (a) Carrier shall be required to pay H. J. Alley, C. C. Wilke, and J. E. Easterday, occupants of the first, second and third tricks, respectively, one day's pay each work day, commencing August 27, 1965 and continuing so long as the violation continues.  
  
(b) Carrier shall be required to pay R. J. Reiman and D. E. Arnold, occupants of Relief Job No. 3 and Relief Job No. 5, respectively, one day's pay each work day, commencing August 27, 1965 and continuing so long as the violation continues.
3. Carrier shall be required to pay the following employees 8 hours' pay at the rate of the abolished positions each day commencing with the first trick on Friday, August 27, 1965, and continuing so long as the violation continues:
  - (a). for each first trick--E. E. Bleistein each Friday  
A. W. Boethcher each Saturday  
M. M. Johnson each Sunday & Monday  
R. E. McIntyre each Tuesday  
I. C. Miller each Wednesday & Thursday
  - (b). for each second trick--R. A. Stott each Friday & Thursday  
B. D. Hilbert each Saturday  
T. H. Powers each Sunday and Monday  
J. N. Sutor each Tuesday  
F. J. Shultz each Wednesday
  - (c). for each third trick--L. B. Kimbrough each Friday & Saturday  
G. E. Woods each Sunday and Monday  
A. E. Taylor each Tuesday  
A. H. Thompson each Wednesday & Thursday

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OPINION OF BOARD:

In view of: 1) The terms of the settlement of the claim involved in Case 21, which was remanded to the parties by our Award 21, and 2) Carrier's acceptance of the Organization's alternate proposal for a pay adjustment for Telephoner-Leverman at Int. Station 47 as a settlement of the present claim; we conclude that said claim must be dismissed.

AWARD:

Claim dismissed.

/s/ Lloyd H. Bailer, Chairman

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Lloyd H. Bailer, Chairman

/s/ T. A. Seymour, Carrier Member

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T. A. Seymour, Carrier Member

/s/ R. J. Woodman, Employee Member

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R. J. Woodman, Employee Member  
(DISSENTING)

November 28, 1966