

NATIONAL MEDIATION BOARD
Special Board of Adjustment No. 1048

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

BROTHERHOOD OF MAINTENANCE OF
WAY EMPLOYEES

and

NORFOLK AND WESTERN RAILWAY COMPANY

Award No. 50

Hearing Date - December 12, 1994

Statement of Claim:

Claim on behalf of M. M. Taylor requesting to have his seniority restored and paid for all time lost, as a result of a October 11, 1993 letter advising him that he had forfeited all seniority.

FINDINGS:

Special Board Adjustment No. 1048, upon the whole record and all of the evidence, finds and holds that the Employee(s) and Carrier(s) 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.

AWARD

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

Ample evidence is contained in the record to indicate that Claimant's seniority forfeiture was proper in the application of the parties Agreement.

Accordingly, an award favorable to Claimant will not be made. He claim is denied.


John C. Fletcher, Chairman & Neutral Member


R. A. Lau, Organization Member


E. N. Jacobs, Jr., Carrier Member

Issued at Fort Lauderdale, Florida, December 12, 1994

This award is based on the facts and circumstances of this particular case and shall not serve as a precedent in any other case