

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES) Brotherhood of Railway, Airline and Steamship Clerks,
TO) Freight Handlers, Express & Station Employees
DISPUTE) and
Chesapeake and Ohio Railway Company (Pere Marquette District)

QUESTIONS
AT ISSUE:

(1) Did the Carrier violate the provisions of Article IV, Section 1 of the Agreement when commencing with June 30, 1968, it failed to properly compensate Mr. Edward Poinéau, a "protected employee", under the terms of the February 7, 1965 Stabilization of Employment Agreement, at the normal rate of compensation of the position held by him on October 1, 1964, plus subsequent general wage increases.

(2) Shall Carrier be required to compensate Mr. Poinéau by the addition of \$17.46 a month to his guaranteed rate of compensation effective June 30, 1968, in addition to three and one-half percent wage increase effective July 1, 1968, including general wage increases subsequent to July 1, 1968, until the violation is corrected.

OPINION
OF BOARD:

The pertinent portion of Article IV, Section 1, of the February 7, 1965 National Agreement, applicable herein, is hereinafter quoted:

"---provided, however, that in addition thereto such compensation shall be adjusted to include subsequent general wage increases."

On April 2, 1968, an Implementing Agreement was executed which provided for the distribution of the Classification and Evaluation Fund established under Article IV of the December 28, 1967 National Wage Agreement. The instant dispute is predicated on the failure of the Carrier to pay Claimant the additional amount of \$17.46 per month, arising out of selected increases in the rates of certain positions. Thus, the issue presented is whether distribution made pursuant to the Classification and Evaluation Fund should be construed as a subsequent general wage increase.

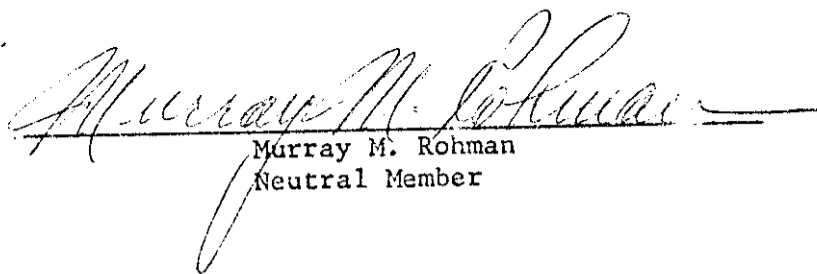
In Award No. 163, we carefully reviewed the identical problem and concluded that increases granted under the Classification and Evaluation Fund are not to be considered as subsequent general wage increases, as contemplated by Article IV, Section 1.

We would note further that the Classification and Evaluation Fund directs that the fund be allocated among selected positions which are determined to be out-of-line. In addition, guidelines were established in order that inequities would be eliminated--both intra-plant and inter-plant. In this context, it would be most inappropriate to hold that such payments to selected positions are equivalent to a general wage increase.

We are mindful of the fact that the Board in Award No. 147, reached a different result. Nevertheless, we are constrained to adhere to our previous conclusion based upon an exhaustive and thorough analysis of the concepts and factors involved in job determination evaluation.

AWARD

The answer to Questions 1 and 2 is in the negative.


Murray M. Rohman
Neutral Member

Dated: Washington, D. C.
January 19, 1970