



Award Number 17552

Docket Number SG-18135

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Louis Yagoda, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

**CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD
COMPANY**

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Chicago, Rock Island and Pacific Railroad Company:

On behalf of Relief Signal Maintainer C. W. Peet, headquartered at "UD" Interlocking, Joliet, Illinois, for one (1) hour's pay at the straight-time rate--traveling time between "UD" and "MC" in Joliet, Illinois, on December 14, 1967, to provide relief at "MC".

[Carrier's File: L-130-425.]

EMPLOYES' STATEMENT OF FACTS: Claimant C. W. Peet is a regularly assigned relief Signal Maintainer with headquarters at U. D. Tower, Joliet, Illinois.

Mr. Peet was used on December 7, 1967 to fill a first trick position at M. C. Tower in Joliet. In order to work that position the full 8-hour day, he reported to his headquarters at UD Tower about thirty minutes early so that he could walk to MC tower and be there at the beginning of the regular tour of duty of that position. After completing the 8-hour shift at MC, he returned to UD Tower, then submitted a time claim for one hour's travel time for that day in addition to the regular eight hours.

After his individually-submitted time slip for one hour of travel time was denied by the Signal Supervisor, the Brotherhood's Local Chairman presented a claim on behalf of Mr. Peet for one hour's straight time rate of pay. That claim was handled in the usual and proper manner on the property, up to and including the highest officer of the Carrier designated to handle such disputes, without receiving satisfactory settlement. Pertinent exchanges of correspondence on the property is attached hereto as Brotherhood's Exhibits Nos. 1 through 5.

There is an agreement in effect between the parties to this dispute, bearing an effective date of July 1, 1952, as amended, which is by reference made a part of the record in this dispute.

(Exhibits Not Reproduced)

CARRIER'S STATEMENT OF FACTS:

1. There is a copy of an Agreement in effect between the Chicago, Rock Island and Pacific Railroad Company, hereinafter referred

in effect on this property and the Railway Labor Act, as amended.

(Exhibits Not Reproduced)

OPINION OF BOARD: Claimant is a regularly assigned relief Signal Maintainer with headquarters at U. D. Tower, Joliet, Illinois. On December 7, 1968 he was used to fill a first trick position at M. C. Tower in Joliet. To do so, he reported at U. D. Tower about thirty minutes early so that he could walk to M. C. tower and be there at the beginning of the regular tour of duty of that position. After completing the 8-hour shift at M. C. Tower he returned to U. D. Tower.

Claim was made on the property for one hour's travel time for that day in addition to the regular eight hours. Claim was denied and is now before us.

This claim is identical in characteristics with one which was submitted to us for the same employee, same parties, same Towers, under Docket No. SG-18122 and on which was issued Award No. 17551.

Relying in part on an earlier Award No. 17144—we ruled in Award No. 17551 that there had been management acquiescence in the pattern of appearances at U. D. Tower as supplemental to the eight hour workday, but added:

“ . . . we find for the Claimant only up to the time that this issue was raised. We consider Claimant to be on notice thereafter that Carrier approves inclusion of appearance at M. C. Tower as part of the assigned and regular workday (i.e. to be encompassed within the eight hours, leaving less than eight hours at U. D. Tower)”

Inasmuch as the claim now before us post-dates the cut-off date established in the earlier Award, it will be denied.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the Agreement was not violated.

A W A R D

Claim is denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 30th day of October 1969.

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