

Award No. 18304
Docket No. SG-18564

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Paul C. Dugan, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN
CHICAGO & EASTERN ILLINOIS RAILROAD

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Chicago and Eastern Illinois Railroad that:

(a) Carrier violated the current Signalmen's Agreement, as amended, particularly Rule 33, when it did not furnish free transportation for T&T gang employes making week-end trips home. (Carrier's Files: SG-6800, SG-6801, SG-6802)

(b) Carrier be required now to reimburse Gang Foreman N. Miskowsky \$23.20 bus fare, and \$43.20 automobile mileage allowance (540 miles at 8 cents), for a total of \$66.40 for the month of February, 1968. (Carrier's File: SG-6800)

(c) Carrier be required now to reimburse N. Miskowsky, T. J. Tolbert, W. D. Raymond, J. E. Richardson, J. L. Miller, and all present and future members of this gang, for expenses for week-end trips home, including bus fare and/or automobile mileage allowance, commencing with the months of July, August and September, 1968, and continuing so long as they are not furnished free transportation under Rule 33 for week-end trips home. This includes but is not limited to the following:

| | July | August | September |
|----------------------------|-------------|---------------|------------------|
| N. Miskowsky - bus fare | \$ 40.00 | \$ 45.00 | \$ 30.00 |
| R. J. Tolbert - mileage | 154.80 | 72.00 | 142.65 |
| W. D. Raymond - mileage | 218.88 | 76.32 | 139.32 |
| J. E. Richardson - mileage | 123.30 | 127.80 | 112.50 |
| J. L. Miller - mileage | 141.30 | 148.05 | 132.75 |

(Carrier's File: SG-6801)

EMPLOYES' STATEMENT OF FACTS: This dispute arose after Carrier's discontinuance of passenger train service made it necessary for gang employes headquartered in camp cars to procure other means of transportation for week end trips home. At the time, Carrier had only one gang

There is attached hereto and made a part hereof as Carrier's Exhibit C copy of the General Chairman's reply to Carrier's denial letter of August 22nd.

Although there was no change in operations or conditions from that previously existing, no claims for weekend travel expense was made during the months of March, April, May and June, 1968. During that period the system camp gang worked at the following locations:

Mode, Ill. (2) on print — March 1–March 21
Findlay, Ill. (3) on print — March 22–March 28
Sullivan, Ill. (4) on print — March 29–April 5
Chicago Heights, Ill. (5) on print — April 6–April 25
Clinton, Ind. (1) on print — April 26–June 3
Purcell, Ind. (6) on print — June 4–June 30

Under date of November 2, 1968, the General Chairman presented in behalf of Foreman Miskowsky and four members of the System T&T camp gang claim for weekend travel expense for the months of July, August and September, 1968 and for all subsequent months the alleged violation continues. Copy of the Chairman's letter is attached hereto and made a part hereof as Carrier's Exhibit D.

(Exhibits not reproduced.)

OPINION OF BOARD: Similar disputes submitted to this Board in the past have been consistently denied. See Awards 12351 (Yagoda), 16745 (Friedman) and 18152 (Dugan). We will deny the claim.

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.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 25th day of November 1970.

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