

NATIONAL RAILROAD **ADJUSTMENT** BOARD

THIRD DIVISION

Award Number **20095**
Docket Number SC-19531

Joseph A. Sickles, Referee

(Brotherhood of Railroad Signalmen

PARTIES TO DISPUTE: (

(Chicago, Milwaukee, St. **Paul** and Pacific Railroad **Company**

STATEMENT OF CLAIM: Claim of the General **Committee** of the Brotherhood of Railroad **Signalmen** on the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

On behalf of Special **Signalman** J. D. **Schmeling** and Assistant Signalman T. C. **Keating** and R. A. **Hinther** for payment of additional meal expenses on May **11** and **12, 1970**. (Carrier's File: **F-1068**)

OPINION OF BOARD: This dispute **involves** the **same** parties, **same** basic issues and **same Agreement** as in Award No. 20094. For the reasons stated in that Award, the claim is dismissed as discussed in **that** Opinion.

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 **dismissed**.

NATIONAL RAILROAD **ADJUSTMENT BOARD**
By Order of Third Division

ATTEST : *A. W. Paulos*
Executive Secretary

Dated at Chicago, Illinois, this 11th day of January 1974.

Dissent to Awards Nos. 20094, 20095, 20096 and 20097,
Dockets Nos. SG-19530, SG19531. SG-19540 end SC-19746

The Majority has made a play on semantics to dismiss these claim.
We hold that the meaning and intent of the option exercised is quite
clear and that it should have been applied accordingly.

Awards Nos. 20094, 20095, 2096 and 20097 being in error, I dissent.


W. W. Altus, Jr.
Labor Member