

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20901  
Docket Number SC-20745

Francis X. Quinn, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen  
(Southern Pacific Transportation Company  
(Pacific Lines)

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Southern Pacific Transportation Company:

(a) The Southern Pacific Transportation Company (Pacific Lines), violated or failed to apply the provisions of the Agreement between the Company and the Employees of the Signal Department represented by the Brotherhood of Railroad Signalmen, effective April 1, 1947 (reprinted: April 1, 1958 including Revisions) and particularly rule 16 which resulted in violation of Rule 70.

(b) Mr. R. G. Poulson be compensated for three (3) hours at his overtime rate of pay for January 20, 1973. [Carrier's File: SIG 148-220]

OPWION OF BOARD: It is axiomatic that seniority rights are prescribed in and derive from the collective bargaining agreement. The record before us does not establish that the Agreement was violated. Therefore, 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.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

A.W. Paulson  
Executive Secretary

Dated at Chicago, Illinois, this 12th day of December 1975.