

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22406  
Docket Number SG-22152

Robert A. Franden, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen  
(Consolidated Rail Corporation  
(Former Erie Lackawanna Railway Company)

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on the former Erie Lackawanna Railway Company:

On behalf of A. L. Caruso account his name deleted from the 1974 Susquehanna Division roster, for restoration of his name on the 1974 roster and compensation for all wages lost and overtime if a junior employee is called back to work ahead of Mr. Caruso."

/General Chairman file: #503-A, L. Caruso. Carrier file: 222-Sig/

OPINION OF BOARD: This claim is based on an alleged violation of the Agreement by Carrier in failing to maintain Claimant's name on the Susquehanna Division Signal Department Roster.

We have been presented with Award 22136 rendered in Docket Number MS-22057 between the Carrier and the same claimant. The case resolved by Award 22136 is the identical case presented to this Board under this docket number. The Award 22136 renders the matter res judicata and not subject to rehearing before this Board. We will dismiss the claim.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

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

Award Number 22406  
Docket Number SG-22152

Page 2

That the claim be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: *A. W. Paulsen*  
Executive Secretary

Dated at Chicago, Illinois, this 30th day of May 1979.

