

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **22486**
Docket Number SG-22373

William M. Edgett, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad **Signalmen**
(Atlanta and West Point Railroad Company-
(The Western Railway of **Alabama**-
(Georgia Railroad

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Georgia Railroad, The Western Railway of Alabama, Atlanta and West Point Railroad Company:

On behalf of Signal Maintainer **H. A. Carroll**, headquarters Relay Shop, Atlanta, Georgia, for eighty-eight (88) hours straight time pay account more than 25% of the workload of a vacationing employee was distributed to him January 17 through 31, 1977."

OPINION OF BOARD: Signal Maintainer Carroll worked C. M. **Rodgers'** job while **Rodgers** was on vacation. Carroll's position was blanked and while **Rodgers** was on vacation Carroll did not perform any part of the work of his own position.

The Organization has asserted that Article 10 (b) of the Vacation Agreement of December 17, 1941 was violated because more than 25% of the vacationing employee's workload was distributed to other employees who were also working their usual assignments. The record does not contain facts to support that assertion. Claimant Carroll did not work any part of his regular assignment during **Rodgers'** vacation. He worked **Rodgers'** job and was paid for doing so. There was no distribution of **Rodgers'** work.

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;

Award Number' 224%
Docket Number SC-22373

Page 2

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. Paulose*
Executive Secretary

Dated at **Chicago**, Illinois, this **24th** day of **August 1979**.

SEP 10 1979