NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 23069 Docket **Number**SG-23025

Joseph A. Sickles, Referee

	(Brotherhood of Railroad Signalmen			
PARTIES TO DISPUTE:	(-	
	(Central of	Georgia	Railroad	Company

STATEMENT OF CLAIM: 'Claim of the General **Committee** of the Brotherhood of **Railroad Signalmen** on the Central of Georgia Railroad

Company:

On behalf of Signal Maintainer N. L. Johnson for the difference in pay betweenwhat he is paid and what be should have been paid as a Signal Maintainer-majority CTC, beginning Juue 5, 1978, and continuing until the dispute is settled."

OPINIONOF BOARD: Claimant seeks an hourly differential asserting that a territorial change resulted in such entitlement under an agreement which provides for "eleven cents per straight hour (and seventeen cents for each overtime hour) for Signal Maintainer - Majority C.T.C.".

While Carrier concedes that **Claimant's** territory includes 3.3 miles of CTC signal track, it denies that the **remainder** of the territory should **be considered** as 2.8 miles. Rather, Carrier asserts that because the remainder is "double **track**", the non-CTC territory is really 5.6 **miles** and, thus, the CTC territory **is** only 3% of the territory.

Claimant disagrees and asserts that Carrier's **bulleting themselves** deny the validity of Carrier's argument.

Certainly, we would agree that Carrier is free to attempt to show, as a matter of fact, that a parallel double track should be computed as urged by Carrier, but here no such showing was attempted. As we have considered the factual matters raised and urgedwhile the matter was under consideration on the property, we find no showing as to why the mere fact of double trackage should defeat this claim.

<u>FINDINGS</u>: 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*:

Award Number.23069 Docket Number SG-23025

That the Carrier and the **Employes** involved in this dispute are respectively Carrier and Employes within the meaning of the Railway Labor Act, as apprwed June 21, 1934;

That this Division of the Adjustment Board has jurisdiction **over** the dispute involved herein; and

That the Agreement was violated.

<u>a w a r d</u>

Claim sustained.

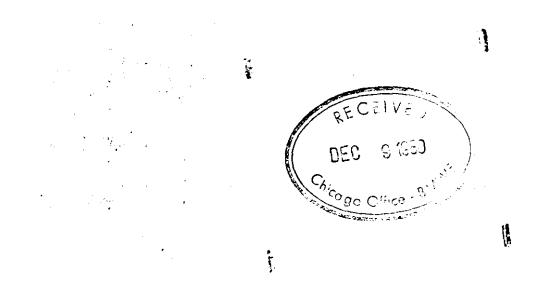
NATIONAL RAILROAD ADJUSTMENT BOARD

By Order of Third Division

ATTEST: Executive Secretary

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Dated at Chicago, Illinois, this 14th day of Nwember 1980.



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Page.2