

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 23381  
Docket Number CL-23004

James F. Searce, Referee

PARTIES TO DISPUTE: { Brotherhood of Railway, Airline and Steamship clerks,  
Freight Handlers, Express and Station Employees  
{ Norfolk and Western Railway Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood  
(GL-8799) that:

1. Carrier violated the Agreement between the parties when on the dates and times indicated below they required former Virginian Railway Company train and engine service employees going off duty at Victoria, Virginia during the hours the office at that location was closed to notify the Chief Caller via telephone, thereby OS'ing their arrival and relieving times.

2. As a consequence of the above-stated violation(s) Carrier shall now be required to compensate the senior qualified idle or otherwise first out qualified available Extra Board employee assigned to the ND-3 Extra Board at Crewe, Virginia for eight (8) hours at the applicable overtime rate of pay for each violation stated in the original claim, said violation being multiple on each day, for May 26, 27, 28, 29, 30, June 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, 1978.

OPINION OF BOARD: The instant case involves an allegation by the Organization that the act of requiring train crews that go off duty at Victoria, Virginia to call the Chief Caller at Crewe, Virginia and notify him of their arrival and off-duty time at Victoria is an OS and violates the parties' agreement. By Special Agreement with certain train and engine crews, Victoria, Virginia remains the home terminal of certain train and engine crews even though they operate their trains only as far as Crewe, Virginia. These employees, after leaving their train at Crewe, travel from Crewe to Victoria by taxi-cab. Upon their arrival at Victoria they are required by telephone to notify the Chief Caller at Crewe of their arrival and off-duty time. We do not think under the circumstances of this case, that a phone call from a member of a train crew to a Chief Caller, notifying the Chief Caller that he has arrived at his home terminal by taxi-cab, rises to a level of an OS. The claim will be denied.

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 15th day of September 1981.

