

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

Award No. 27145  
Docket No. SG-26472  
88-3-85-3-215

The Third Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

(Brotherhood of Railroad Signalmen  
PARTIES TO DISPUTE: (  
(Consolidated Rail Corporation

STATEMENT OF CLAIM: "Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Consolidated Rail Corporation (Conrail):

On behalf of M. A. Doyle for 30 minutes at the punitive rate of pay commencing July 12, 1983, and continuing until his assigned hours are adjusted in accordance with Rules 4-K-1 (b) and (e) of the current scheduled Agreement. Carrier file SD-2117."

FINDINGS:

The Third Division of the Adjustment Board upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employees involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

This Board has carefully reviewed the case before it and we conclude Carrier failed to properly deny the claim until it issued the denial letter dated May 17, 1984. We cannot, however, make a reasoned judgment on the claim beyond that date since insufficient facts are contained in the record. We therefore dismiss the claim beyond May 17, 1984.

A W A R D

Claim sustained in accordance with the Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Nancy J. Dover - Executive Secretary

Dated at Chicago, Illinois, this 23rd day of June 1988.