

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 31631
Docket No. SG-31459
96-3-93-3-499**

The Third Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.

(Brotherhood of Railroad Signalmen

PARTIES TO DISPUTE: (

(Union Pacific Railroad (former Missouri Pacific Company)

STATEMENT OF CLAIM:

"Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Union Pacific Railroad (former Missouri Pacific):

Claim on behalf of R. Zepeda for payment of 16 hours at one-half his regular straight time rate, account Carrier violated the current Signalman's Agreement, particularly Appendix 'I' and Rules 4(d) and (7d), when it failed to compensate the Claimant at the time and one-half rate in conjunction with the change in his assigned shift on April 27 and May 1, 1992. Carrier's File No. 920473. General Chairman's File No. 92-50-T-A. BRS File Case No. 9169-UP(MP)."

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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 claim is virtually identical to that reviewed in Third Division Award 31632, and the Board has no basis to reach a different conclusion.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division**

Dated at Chicago, Illinois, this 29th day of August 1996.