

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 33606  
Docket No. SG-34640  
99-3-98-3-301**

**The Third Division consisted of the regular members and in addition Referee Robert L. Hicks when award was rendered.**

**(Brotherhood of Railroad Signalmen  
PARTIES TO DISPUTE: (  
(CSX Transportation, Inc. (former Louisville & Nashville  
( Railroad Company)**

**STATEMENT OF CLAIM:**

**“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Louisville & Nashville:**

**Claim on behalf of R. L. Collins for payment of one hour per day at the time and one-half rate, beginning March 5, 1997, and continuing for the term of the violation, account Carrier violated the current Signalmen's Agreement, particularly Appendix U, when it did not provide the Claimant with proper headquarters facilities at Etowah, Tennessee. Carrier's File No. 15(97-99). General Chairman's File No. 97-158-01. BRS File Case No. 10441-L&N.”**

**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 were given due notice of hearing thereon.**

The claim, is bottomed on an alleged violation of Appendix U of the Agreement.

Item 13 of Appendix U reads, in pertinent part, as follows:

“... Point headquartered gangs ....”

The claim concerns neither a “Point headquartered” gang, nor a gang member for the simple reason that the Claimant is an independent Signaller. Because the Agreement relied upon does not encompass the Claimant, the claim is denied.

**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 16th day of November 1999.