

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 37217
Docket No. SG-37209
04-3-02-3-123

The Third Division consisted of the regular members and in addition Referee Francis X. Quinn when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(Union Pacific Railroad Company)

STATEMENT OF CLAIM:

“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Union Pacific Railroad Company:

Claim on behalf of W. Alaimo, for 13 hours at the time and one-half rate, plus skill differential. Account Carrier violated the current Signalmen’s Agreement, particularly Rule 15, when it did not allow the Claimant to take overtime call at a hot box detector near Goloonda, Nevada, on December 23, 2000. Carrier’s File No. 1256355. General Chairman’s File No. W-15-096. BRS File Case No. 11956.”

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 record indicates the Claimant did not respond to repeated calls and pages. There was no Rule violation when Signal Operations sought another Signal Maintainer. Because the Claimant did not perform any work on the date of claim, he is not entitled to additional compensation under Rule 15A.

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 28th day of September 2004.