NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Martin I. Rose, Referee

PARTIES TO DISPUTE:

CHICAGO GREAT WESTERN RAILWAY COMPANY

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS, FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES

STATEMENT OF CLAIM: (44) Claim in behalf of:

(1) Messrs. S. E. Cotnam, G. R. Hammond, R. R. Fickle, C. A. Olson, R. H. Putnam, C. D. Foster, R. H. Clemens, O. W. Weber, P. J. Delmar and Miss Lena Sonnenberg for four (4) hours each (total of forty (40) hours) during the period the incumbent of the position of Material Accountant—Maintenance of Way Timekeepers, Mrs. Lana McQueen, was on vacation; and

(2) Mrs. Lana McQueen for eight (8) hours each date at the time and one-half rate of per position (Material Accountant—Maintenance of Way Timekeeper) for Saturday, July 2 and Sunday, July 3, 1955 account Auditor of Accounts alleged to have performed duties of the position of Material Accountant—Maintenance of Way Timekeeper while incumbent was on vacation during the period July 4 to 8, 1955 (both dates inclusive)—Carrier's file K-193, Organization's Case G-768.

OPINION OF BOARD: This case is the same as in Award 9867 except that the nine months time limit provided in Rule 40(c) is applicable. For the reasons stated in that award, this claim should also be dismissed.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes 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 Claim is barred by Rule 40(c) of the Agreement.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
    Executive Secretary

Dated at Chicago, Illinois, this 23rd day of March, 1961.