

Award No. 13123
Docket No. SG-13179

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

John H. Dorsey, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

SOUTHERN RAILWAY COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Southern Railway Company et al.:

On behalf of Signal Maintainer B. H. Bradshaw for additional compensation for the month of October, 1960, because the Carrier failed and/or refused to properly compensate him in accordance with the current Signalmen's Agreement, and instructions, for all time worked and held for duty during that month. [Carrier's File: SG-15806]

EMPLOYES' STATEMENT OF FACTS: Under date of June 27, 1960, the Carrier's Signal & Electrical Superintendent: Mr. J. M. Stanfill, issued Bulletin No. 571, which included the following:

"We have the following vacancies:

Crossing Signal Maintainer (Monthly rate) Batesburg,
S.C. (no)

* * *

Those qualified and desiring to bid on the above vacancies will submit their bids in their own handwriting to reach this office not later than 5:00 P.M., July 7, 1960, using standard forms for bidding on positions."

On July 8, 1960, Mr. Stanfill issued Bulletin No. 573, which included the following:

"As bulletined on June 27, 1960, the following appointments are made:

B. H. Bradshaw—Crossing Signal Maintainer (monthly rate) Batesburg, S.C."

This shows that the Claimant, Mr. B. H. Bradshaw, had been regularly assigned to a monthly rated position of Crossing Signal Maintainer, Batesburg, S.C., and that is the position he was working during October, 1960. As shown by our Statement of Claim, this dispute involves the question of whether or not the Carrier properly compensated the Claimant for all time worked and held for duty during the month of October, 1960.

OPINION OF BOARD: This Claim involves the same Claimant as in Award No. 13121. It differs only as to the month for which additional compensation is sought.

Applying our interpretation of Rule 48 of the Agreement, as set forth in Award No. 13121 we will deny the Claim.

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 Carrier did not violate the Agreement.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 11th day of December, 1964.