

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19272
Docket Number SG-17490

William M. Edgett, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(The Chesapeake and Ohio Railway Company
(Chesapeake District)

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railroad Signalmen on the Chesapeake and Ohio Railway Company (Chesapeake District) that:

(a) The Carrier violated the current Signalmen's Agreement, particularly Rules #1 and 25, when it used trackmen in place of Signal Maintainer C. R. McDaniel and Assistant Signal Maintainer C. E. Watson. We also base our claim on National Railroad Adjustment Board, Award No. 11761.

(b) The Carrier now pay Signal Maintainer C. R. McDaniel and Assistant Signal Maintainer C. E. Watson for three hours and thirty minutes (amount of time the carrier used trackmen) at their overtime rate of pay for the violation cited in part (a) of this claim. /Carrier's File: SG-249./

OPINION OF BOARD: The principle involved in this claim has been decided, in favor of Claimant's position, in Awards No. 11761 and 19186 between the same parties. This Board has held that awards between the same parties, on the same property are entitled to great weight and should be followed unless clearly wrong. No such finding has been made here and accordingly the claim will be sustained.

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

That the parties waived oral hearing;

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees 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 Agreement was violated.

Award Number 19272
Docket Number SG-17490

Page 2

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

E. A. Kilien
Executive Secretary

Dated at Chicago, Illinois, this 22nd day of June 1972.