

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20097  
Docket Number SG-19746

Joseph A. Sickles, Referee

PARTIES TO DISPUTE: {  
(Brotherhood of Railroad Signalmen  
(Chicago, Milwaukee, St. Paul and Pacific Railroad Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

On behalf of J. D. Schmeling for payment of additional meal expense over and above that allowable under Section 1-B-3 of Award 298 for the period November 2 through 5, 1970. (Carrier's File: F-1071)

OPINION OF BOARD: This dispute involves the same parties, same basic issues and same Agreement as in Award No. 20094. For the reasons stated in that Award, the claim is dismissed as discussed in that Opinion.

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 not violated.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

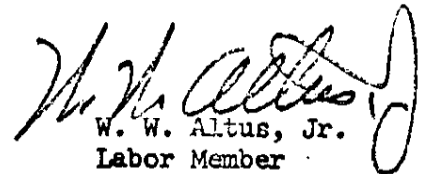
ATTEST: A. W. Paulos  
Executive Secretary

Dated at Chicago, Illinois, this 11th day of January 1974.

Dissent to Awards Nos. 20094, 20095, 20096 and 20097,  
Dockets Nos. SG-19530, SG-19531, SG-19540 and SG-19746

The Majority has made a play on semantics to dismiss these claims. We hold that the meaning and intent of the option exercised is quite clear and that it should have been applied accordingly.

Awards Nos. 20094, 20095, 20096 and 20097 being in error, I dissent.

  
W. W. Altus, Jr.  
Labor Member