

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20949
Docket Number SG-20731

Joseph A. Sickles, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(Chicago and North Western Transportation Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Chicago and North Western Transportation Company:

(a) On or about September 6, 1972 the Carrier violated the current Signalmen's Agreement, particularly Rules 20 D&F, 76, and the Vacation Agreement, when Signal Supervisor, A. F. Cherveney, abolished position 45-010, relief signalman Crew #2.

(b) Carrier now be required to re-establish this position, per the agreement.

(c) Carrier be further required to compensate, at the 20(d) rate, all unilateral assignments to fill vacancies since the above abolishment, which would have been assigned to this position. [Carrier's File: 79-3-118]

OPINION OF BOARD: Although the specific claim for relief here varies from that presented in Award No. 20948, the arguments and contentions presented in both cases are the same. We will deny the claim for the reasons stated in our Award No. 20948.

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 denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Paulsen
Executive Secretary

Dated at Chicago, Illinois, this 30th day of January 1976.