

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21191  
Docket Number SG-20945

Francis X. Quinn, Referee

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

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

Claim No. 1

(a) Carrier violated the current Agreement between the Brotherhood of Railroad Signalmen and the Chicago North Western Transportation Co. particularly rules 76 and the vacation agreement when it required Sig. Mtnr. Lloyd Pautzke to cover the work of Oxford territory while regular assigned maintainer was on vacation May 14 thru 25th. (80 hours)

(b) Carrier should now be required to compensate Mr. Pautzke for the time spent performing work on the Oxford territory at his punitive rate of pay as signal maintainer in addition to whatever else he has received. This time to include the following:

May 14, 1973 3 hours...broken rail M.P. 111.1  
May 15, 1973 6 hours...working with Ldr. Madison on Oxford territory.  
May 16, 1973 4 hours...working with Ldr. Madison on Oxford territory,  
and on crossing protection.  
May 17, 1973 2 hours...replacing bonds off due to dragging equipment.  
May 20, 1973 5 hours...derailment at Glen Oak, Wis.  
May 21, 1973 1 1/2 hours...bonding rail at Brooks, Wis.  
May 24, 1973 5 hours...Inspecting crossing and three broken rails.  
[Carrier's file: 79-8-134]

Claim No. 2

(a) Carrier violated the current Signalmens Agreement especially rule 76 and Articles 6 and 10 of the vacation Agreement, when it failed to furnish vacation relief worker on the Reedsburg, Wis. signal maintenance territory while the regular assigned Reedsburg maintainer, Mr. Ray Deakin, was on vacation five days, May 21, thru May 25, 1973.

(b) Carrier should now be required to compensate Mr. Krueger at the punitive rate of pay, in addition to what he has already received, for the time he spent on the Reedsburg territory during this period.

[Carrier's file: 79-8-142]

OPINION OF BOARD: These claims are similar to many other claims presented by this Organization in opposition to the Carrier's consolidation of Signalmen's territories. Since the issues herein have previously been considered by this Board and the contentions of Petitioner have been rejected consistently, we must follow the doctrine of res adjudicata. The claim will be denied. See Awards 20811, 20812, 20893, 20897, 20722, 20796 and 20798.

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 Employee involved in this dispute are respectively Carrier and Employee 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

Claims denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

  
Executive Secretary

Dated at Chicago, Illinois, this 13th day of August 1976.