

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22406
Docket Number SG-22152

Robert A. Franden, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Consolidated Rail Corporation
((Former Erie Lackawanna Railway Company)

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood
of Railroad Signalmen on the former Erie Lackawanna
Railway Company:

On behalf of A. L. Caruso account his name deleted from the
1974 Susquehanna Division roster, for restoration of his name on the
1974 roster and compensation for all wages lost and overtime if a
junior employee is called back to work ahead of Mr. Caruso."

/General Chairman file: #503-A. L. Caruso. Carrier file: 222-Sig7

OPINION OF BOARD: This claim is based on an alleged violation of
the Agreement by Carrier in failing to maintain
Claimant's name on the Susquehanna Division Signal Department Roster.

We have been presented with Award 22136 rendered in Docket
Number MS-22057 between the Carrier and the same claimant. The case
resolved by Award 22136 is the identical case presented to this
Board under this docket number. The Award 22136 renders the matter
res judicata and not subject to rehearing before this Board. We
will dismiss 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 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

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That the claim be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: *A. W. Paulsen*
Executive Secretary

Dated at Chicago, Illinois, this 30th day of May 1979.

