

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22486

Docket Number SG-22373

William M. Edgett, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Atlanta and West Point Railroad Company-
(The Western Railway of Alabama-
(Georgia Railroad

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Georgia Railroad, The Western Railway of Alabama, Atlanta and West Point Railroad Company:

On behalf of Signal Maintainer H. A. Carroll, headquarters Relay Shop, Atlanta, Georgia, for eighty-eight (88) hours straight time pay account more than 25% of the work load of a vacationing employee was distributed to him January 17 through 31, 1977."

OPINION OF BOARD: Signal Maintainer Carroll worked C. M. Rodgers' job while Rodgers was on vacation. Carroll's position was blanked and while Rodgers was on vacation Carroll did not perform any part of the work of his own position.

The Organization has asserted that Article 10 (b) of the Vacation Agreement of December 17, 1941 was violated because more than 25% of the vacationing employee's workload was distributed to other employees who were also working their usual assignments. The record does not contain facts to support that assertion. Claimant Carroll did not work any part of his regular assignment during Rodgers' vacation. He worked Rodgers' job and was paid for doing so. There was no distribution of Rodgers' work.

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;

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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. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 24th day of August 1979.