

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 24427  
Docket Number SG-24297

Joseph A. Sickles, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen  
(Southern Railway System

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Southern Railway Company, et al.

On behalf of Signal Maintainer J. F. McClintock, Huntsville, Alabama, for meal expense he incurred on January 19, 1980, in the amount of \$7.50, while working off his assigned section."

(General Chairman file SR-155. Carrier file SG-438)

OPINION OF BOARD: Rule 41 of the Agreement provides that when employes are sent away from their assigned station or section on Company business, they will be allowed certain expense reimbursement. Specifically the rule excludes application to Signal Maintainers while they are working on their assigned section or territory, etc.

The Claimant asserts that he is assigned to a specific signal maintenance territory and he is held subject to call every other weekend, at which time he protects his territory and approximately one-half (1/2) of the territory adjoining his territory.

On the claim date the Employe was sent away from "his territory" and he purchased a meal but the Carrier refused to reimburse him for it.

On the day in question the Employe was called to perform service on the "adjoining" territory rather than on his own regular territory.

As we read the pertinent Agreement language it seems clear that the Carrier has obligated itself to make certain compensations when an individual is sent away from an assigned station or section or territory on Company business. This Employe was sent away from that territory on the day in question. The fact that it may have been an obligation to protect that territory on certain weekends does not, as we read Rule 41, alter the fact that the Employe was sent away from his normal area and under the circumstances we will sustain 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 Employes involved in this dispute are respectively Carrier and Employes 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

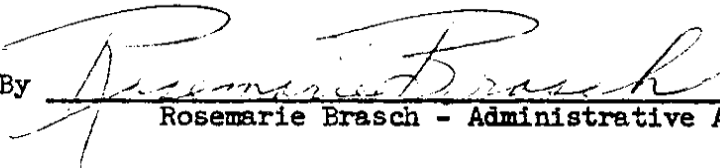
That the Agreement was violated.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: Acting Executive Secretary  
National Railroad Adjustment Board

By   
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 15th day of June 1983.