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**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 35354
Docket No. SG-35531
01-3-99-3-317**

The Third Division consisted of the regular members and in addition Referee James E. Mason when award was rendered.

**(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(Canadian National / Illinois Central Railroad**

STATEMENT OF CLAIM:

“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Illinois Central Railroad (IC):

Claim on behalf of D. Hahn for payment of \$763.10, account Carrier violated the current Signalmen’s Agreement, particularly Rule 13, Section (I), when it used a junior employee from the gang instead of the Claimant for overtime assignments. Carrier’s File No. IC-135-97-4. BRS File Case No. 10916-IC.”

FINDINGS:

The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

In all pertinent aspects, this case is similar to the dispute addressed and denied in Third Division Award 35353. Therefore, there is no need to repeat the contentions

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and determinations previously made in that Third Division Award. Those determinations are, by reference, made a part of this Award.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 20th day of March, 2001.