

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 36607
Docket No. SG-36381
03-3-00-3-581**

The Third Division consisted of the regular members and in addition Referee Edwin H. Benn when award was rendered.

PARTIES TO DISPUTE: (**Brotherhood of Railroad Signalmen**
(**Union Pacific Railroad Company**

STATEMENT OF CLAIM:

"Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Union Pacific Railroad Company:

Claim on behalf of J. L. Karnowski, for payment of \$7.75, account Carrier violated the current Signalmen's Agreement, particularly Rule 33, when it failed to reimburse the Claimant for his out of pocket expenses incurred in purchasing a noon meal on June 25, 1999. Carrier File No. 1203116. General Chairman's File No. 96335512. BRS File Case No. 11316-UP."

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.

The Carrier disallowed the Claimant's meal expense reimbursement request for \$7.75 asserted by the Claimant while working off his territory in Pendleton,

Oregon, on June 25, 1999, because the Claimant did not turn in a receipt. This claim followed.

Rule 33 provides, in pertinent part:

“Signal Maintainers, when used to perform work outside of their assigned territory, will be reimbursed for actual necessary expense for meals incurred while working outside said assigned territory.”

The form completed by the Claimant for reimbursement of the meal in dispute states: “ALLOWANCES - ATTACH RECEIPTS. . . .” The Claimant was therefore on notice that he was obligated to attach receipts. The Claimant did not do so. Given that notice that the Claimant was obligated to attach a receipt for the meal (so that the Carrier could verify whether the expense was “. . . for actual necessary expense for meals . . .”) the Organization cannot prevail in this case.

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 29th day of July 2003.