

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 42134
Docket No. SG-41475
15-3-NRAB-00003-110042**

The Third Division consisted of the regular members and in addition Referee Margo R. Newman when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Northeast Illinois Regional Commuter Railroad
(Corporation (Metra)

STATEMENT OF CLAIM:

“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Northeast Illinois Regional Commuter Rail Corp.:

Claim on behalf of E. Vargas, for 24 hours overtime pay, account Carrier violated the current Signalmen’s Agreement, particularly Rule 15 and the Letter of Agreement regarding the calling of gangs for overtime service, when it used a junior employee instead of the Claimant for overtime service on August 8 and 9, 2009, and denied the Claimant the opportunity to perform this work. Carrier’s File No. 11-21-725. General Chairman’s File No. 102-RI-09. BRS File Case No. 14470-NIRC.”

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.

After a thorough review of the record, during a full Hearing at which the Parties agreed to the relevant facts, the Board finds that the claim has merit and should be sustained. The Claimant shall be paid 24 hours as presented.

AWARD

Claim sustained.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) be made. The Carrier is ordered to make the Award effective on or before 30 days following the postmark date the Award is transmitted to the parties.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 13th day of July 2015.