

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 44543  
Docket No. SG-45583  
22-3-NRAB-00003-190223**

**The Third Division consisted of the regular members and in addition Referee Joseph Fagnani when award was rendered.**

**(Brotherhood of Railroad Signalmen  
PARTIES TO DISPUTE: (  
(CSX Transportation, Inc.**

**STATEMENT OF CLAIM:**

**“Claim on behalf of T.J. Singleton, for 3 hours at his respective time and one-half rate of pay, account Carrier violated the current Signalmen’s Agreement, particularly Uniform Rule 22, when, on October 25, 2017, it worked an employee who was farther from the place of trouble than the Claimant, thereby denying the Claimant an overtime opportunity that accrued to him. Carrier's File No. 2017-228676. General Chairman's File No. 17-49-22. BRS File Case No. 16041-B&O. NMB Code No. 32.”**

**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.**

**On October 25, 2017, there was a need for a Signal Maintainer to respond to a trouble call involving a switch at the Butler Street Control Point. The Carrier initially**

called the Signal Maintainer assigned to that territory but he turned down the assignment due to the fact that he did not have enough work time left to complete the assignment. The Carrier next called Signal Maintainer Rich who was assigned on an adjoining territory to perform the work.

The Organization submitted the above claim in behalf of the Claimant, who was also assigned to an adjoining territory, but who lived approximately 14 miles closer to the location of the trouble call than Signal Maintainer Rich, citing Rule 22(b) in support of its claim.

The facts and circumstances in this case are substantially similar to those in our Award No. 44542. For the reasons stated therein, which by reference are made a part hereof, the Board finds that the Claimant should have been called for the assignment and is contractually entitled to the claimed compensation for this lost work opportunity.

**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 8th day of October 2021.