

NATIONAL RAILROAD ADJUSTMENT BOARD
FOURTH DIVISION

Referee Joseph A. Sickles

Award Number 3797
Docket Number 3781

PARTIES Railroad Yardmasters of America
TO
DISPUTE: Baltimore and Ohio Railroad Company

STATEMENT OF CLAIM: Claim and request of Railroad Yardmasters of America:

Claim for yardmaster J. Hill, Jr. for eight hours at pro rata rate and five and one-half hours at time and one-half.

Also as part of claim the request that Claimant's record be cleared.

OPINION OF BOARD: This dispute originated as a disciplinary matter, however it is presented here as a procedural question. Among other items, the Employees have asserted that Carrier failed to give proper notice to the Organization's Regional Chairman of the charges and of the intended hearing, and they assert various discrepancies related thereto.

Our attention has been invited to the provisions of Article 22 which contain certain directions to provide information to the Regional Chairman and which spells out certain time requirements. There appears to have been no mutual agreement under Article 22(f).

We have reviewed the rather extensive record, and we have considered the various factual and conceptual disagreements between the parties. We continue to return to the concepts expressed in Fourth Division Award No. 980. Based upon that authority, we will sustain the claim.

FINDINGS:

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

The carrier and the employe involved in this dispute are respectively carrier and employe 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.

The parties to said dispute were given due notice of hearing thereon.
The parties to said dispute waived right of appearance at hearing
thereon.

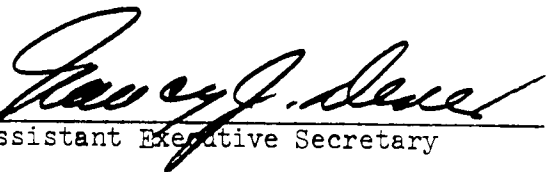
A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Fourth Division

ATTEST:

Executive Secretary
National Railroad Adjustment Board

By: 
Assistant Executive Secretary

Dated at Chicago, Illinois, this 10th day of December 1980.