

The Second Division consisted of the regular members and in addition Referee Abraham Weiss when award was rendered.

Parties to Dispute: (Sheet Metal Workers' International
(Association
(
(Missouri Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company violated the controlling Agreement, particularly Rule 97, at North Little Rock, Arkansas, on July 10, 1975, when they improperly assigned Carman Williams the duties of piping water tank on Caboose Number 13522.
2. That accordingly the Missouri Pacific Railroad Company be ordered to compensate Sheet Metal Worker V. J. Hardcastle four (4) hours at the pro rata rate of pay for such violation.

Findings:

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

The carrier or carriers and the employe or employees 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.

Parties to said dispute waived right of appearance at hearing thereon.

This is a companion case to Docket No. 7705-T, which was considered by this Board at the same time and decided in Award .

The claim in the instant case is in all basic respects similar to that presented and disposed of in Award 7832 ; namely, the parties are the same, the work location is the same, and above all, the issues in dispute are the same, with the sole exception that the work involved was that of "cutting, threading of nipples, applying elbows, unions, and connecting up tank to caboose" at Carrier's Spot Repair Track at North Little Rock, Ark. These differences are unimportant to the decision stated below.

The matters and issues in the instant case are identical to those raised and disposed of in the Award issued in Award 7832 . Our findings are the same as in Award 7832 and for the same reasons there set forth. Accordingly, the instant claim is denied.

Form 1
Page 2

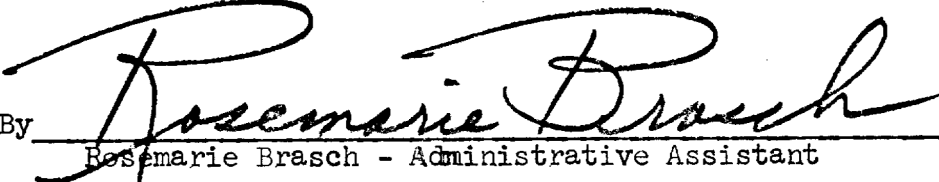
Award No. 771 7834
Docket No. 7719-T
2-MP-SM-'79

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By 
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 7th day of February, 1979.