

The Second Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.

Parties to Dispute: (The Brotherhood Railway Carmen of the
(United States and Canada - AFL-CIO
(The Chicago and North Western Transportation Company

Dispute: Claim of Employees:

1. Carman Jerry Winger, Green Bay, Wisconsin, was deprived of wages to which he is contractually entitled in the amount of 15-1/2 hours pay at the pro rata rate, account the Chicago and North Western Transportation Company called a mechanic-in-charge to perform Carmen's work at derailment at Sheboygan, Wisconsin on May 15, 1979.

2. That the Chicago and North Western Transportation Company be ordered to compensate Carman Jerry Winger in the amount of 15-1/2 hours pay at the pro rata rate.

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 employes involved in this dispute are respectively carrier and employes 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.

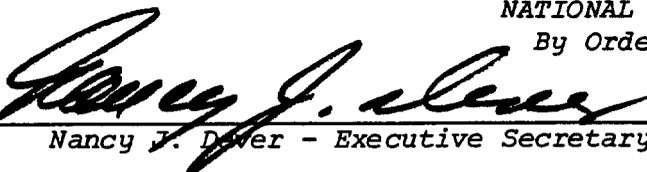
Although differing as to date and location, the circumstances in this dispute are closely similar to those reviewed in Award No. 9974 and the principles examined are the same. The Board thus makes the same findings here.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST:


Nancy J. Dwyer - Executive Secretary

Dated at Chicago, Illinois, this 20th day of June, 1984