

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

Parties to Dispute: ( Brotherhood Railway Carmen of the United States and Canada  
( Kansas City Southern Railway Company  
( Louisiana & Arkansas Railway Company

Dispute: Claim of Employees:

1. That the Kansas City Southern Railway Company-Louisiana and Arkansas Railway Company violated the agreement between the Kansas City Southern Railway Company-Louisiana and Arkansas Railway Company and the Brotherhood Railway Carmen of the United States and Canada, effective April 1, 1980 and the Railway Labor Act, when it failed to pay Carman J. R. Picone and Carman L. J. Lagasse eight (8) hours pay at the pro rata rate for the date of April 3, 1981, account outside contractor loading and securing car ACFX 78206 on flat car MTTX 650937 in Reserve Yard.

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 employees 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 claim is virtually identical to that reviewed in Award No. 10478, and the Board reaches the same conclusions.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:   
Nancy J. Dover - Executive Secretary

Dated at Chicago, Illinois, this 17th day of July 1985.