

2-ACL-CM-'42

such further answer and defense as it may deem necessary and proper in relation to all allegations and claims as may have been advanced by the petitioners in such petition and which have not been answered in this its initial answer.

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 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.

Sufficient evidence has been presented showing that Carman Helper Roberson, in certain instances, performed work described in claim (a) in violation of Rules 27 (a) and 402 of the current agreement.

Carmen helpers should not be used to perform any operation in violation of the provisions of Rules 27 (a) and 402 of the agreement.

AWARD

Claim (a) Sustained.

Claim (b) The question of such compensation as may be due is remanded to the parties for disposition through negotiation.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: J. L. Mindling
Secretary

Dated at Chicago, Illinois, this 18th day of December, 1942.