

Award No. 6009

Docket No. 5865

2-MP-CM-'70

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee Gene T. Ritter when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 2, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Carmen)**

MISSOURI PACIFIC RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Missouri Pacific Railroad Company violated the controlling agreement when they arbitrarily assigned other than carmen (electricians) to remove and replace water cooler in diesel unit No. 498 at the Greater Little Rock Terminal on July 10, 1968.

2. That accordingly, the Missouri Pacific Railroad Company be ordered to compensate Locomotive Carpenter T. C. Antonacci in the amount of two hours, forty minutes (2' 40") at the punitive rate for July 10, 1968, as he was available and should have been called to perform this work.

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.

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

The issue contained in this dispute is identical to the dispute decided in Award No. 6008. Therefore, this claim will be denied for the same reasons as outlined in said Award No. 6008.

AWARD

Claim denied.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION**

ATTEST: E. A. Killeen
Executive Secretary

Dated at Chicago, Illinois, this 8th day of October, 1970.

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