



Award No. 6140

Docket No. 5961

2-N&W-CM-'71

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee John J. McGovern when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 16, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Carmen)**

NORFOLK AND WESTERN RAILWAY COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Norfolk and Western Railway Company violated the Current Agreements and past practice of long standing, when on the respective dates of May 24, 1968 and June 14, 24, 25, 26 and 27, 1968, regularly assigned Carmen were taken out of the Shop and off their assignments, after beginning their tour of duty and put to work as extra inspectors in the Yard, while other employes performed the work of their regular assignments on the Shop Track.

2. That the Norfolk and Western Railway Company be ordered to allow each of the regular Car Inspectors, named hereinbelow, who were eligible and available for such extra inspection work but not used, the amount of time shown opposite each of their names hereinbelow, at the applicable time and one-half rate of pay because of such violation and loss.

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|-----------------|--|
| H. D. Aliff | Five (5) hours |
| C. J. Bickford | Five (5) hours |
| H. D. Aliff | Eight (8) hours |
| C. W. McKinney | Eight (8) hours |
| A. G. Hoge, Sr. | Four (4) eight hours days or 32 hours. |

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 parties and the issue presented are identical to those contained in our Award 6137. We adopt the reasoning of that award and will deny the claim.

AWARD

Claim denied.

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

**ATTEST: E. A. Killeen
Executive Secretary**

Dated at Chicago, Illinois, this 21st day of April, 1971.