



Award No. 6290

Docket No. 6133

2-MP-CM-'72

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

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

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 2, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L. - C. I. O. (Carmen)**

MISSOURI PACIFIC RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Missouri Pacific Railroad Company violated the Agreement of November 21, 1964, when they deprived Carman M. M. Cooper, North Little Rock, Arkansas, the right to work his regular assignment on Friday, April 10, 1970.

2. That accordingly, the Missouri Pacific Railroad Company be ordered to compensate Carman Cooper in the amount of eight (8) hours at the punitive rate for April 10, 1970.

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.

This case involves the same principle as in our Award No. 6288. The facts are no disputed. Claimant who was off on his birthday holiday was deprived of the opportunity to work when another man was assigned in his place.

The claimant's submission does not set forth the claim for interest referred to in Carrier's submission, page 2, and none is allowed.

AWARD

Claim sustained.

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

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

Dated at Chicago, Illinois, this 4th day of May 1972.