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Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 6464
Docket No. 6247
2-BN-EW-'73

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. 7, Railway Employees'
 { Department, A. F. L. - C. I. O.
 { (Electrical Workers)
 {
 { Burlington Northern, Inc.

Dispute: Claim of Employees:

1. That in violation of the current agreement, the carrier improperly denied Electrician P. O. Smith compensation for attending investigation held during regular working hours in the Master Mechanic's office at Cicero, Illinois on March 25, 1971.
2. That accordingly, the carrier be ordered to additionally compensate the aforementioned Electrician in the amount of eight (8) hours at time and one-half rate for March 25, 1971.

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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.

Claimant, as a witness, attended an investigation of another employee charged by the Carrier with a violation of the Agreement. Said investigation was conducted on the claimant's rest day. He demands compensation for eight (8) hours and time and one half ($1\frac{1}{2}$) based principally on the provisions of rule 20 of the Agreement which reads:

"Employees shall not be required to lose time from their regular assignment because of being required to attend investigations or report for physical examinations. So far as is possible, investigations shall be conducted during regular working hours."

Since the employee in question did not lose any time from his regular assignment, his attendance at the investigation having been on his rest day, we can see no basis for the compensation requested. Neither rule 20 nor any other rule of the Agreement has been violated.

We will deny the claim.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: _____

E. A. Killeen

Executive Secretary

Dated at Chicago, Illinois, this 30th day of April, 1973.