

The Second Division consisted of the regular members and in addition Referee Irwin M. Lieberman when award was rendered.

Parties to Dispute: (System Federation No. 156 Railway Employees' Department
(A.F.L. - C.I.O. - Electrical Workers
((I.B.E.W. Local Union No. 589)
(
(The Long Island Rail Road Company

Dispute: Claim of Employes:

That Electrician (Power Operator) T. J. Ayres, IBM #17536, be compensated wages and penalties due him from November 23, 1972 to and including November 29, 1972 due to management's violation of the working agreement by not awarding Mr. Ayres, who was the senior bidder, position #69 on Bulletin #27-72 which was posted 9:00 A.M. October 26, 1972 and which closed October 31, 1972. The monies Mr. Ayres is claiming totals one hundred eighty-six dollard and seven cents (\$186.07).

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 were given due notice of hearing thereon.

The Organization contends that Carrier violated the applicable Agreement by refusing to award Claimant the position of Electrician-Truck Driver despite the fact that he was the senior bidder, but instead awarded the position to a junior Electrician. An identical dispute involving the same parties (and Claimant), Agreement provisions, positions of the parties and virtually identical facts was considered by this Board in Award 6939. For the reasons indicated in that Award the instant Claim must similarly be sustained.

Award No. 6943
Docket No. 6731
2-LI-EW-'75

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 26th day of September, 1975.