

The Second Division consisted of the regular members and in addition Referee David P. Twomey when award was rendered.

Parties to Dispute: ( System Federation No. 2, Railway Employees'  
( Department, A. F. of L. - C. I. O.  
( (Carmen)  
( Houston Belt & Terminal Railway Company

Dispute: Claim of Employees:

1. That the Houston Belt & Terminal Railway Company violated the controlling agreement, particularly Rules 10 and 22, when other than coach cleaner was improperly assigned to perform coach cleaners' work on March 25, 1974, Houston, Texas.
2. That accordingly, the Houston Belt & Terminal Railway Company be ordered to compensate Coach Cleaner J. D. Browning in the amount of eight hours (8') at punitive rate for March 25, 1974, as he was available 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.

Claimant Coach Cleaner, J. D. Browning, a member of the Carmen's Craft, was available for overtime on March 25, 1974. Coach Cleaner E. Young was off sick on this date. The Carrier assigned Laborer L. Clay to fill E. Young's Car Cleaner assignment. The petitioning Organization contends that this assignment of Laborer Clay of the Firemen and Oilers' Craft was a violation of Rules 10 and 22 of the Agreement. We agree. Please see Second Division Awards 1149 and 3595.

We hold that the assignment of a laborer to do coach cleaner work was a violation of the Agreement of the parties; and we shall sustain the claim.

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 14th day of May, 1976.