

The Second Division consisted of the regular members and in addition Referee Walter C. Wallace when award was rendered.

Parties to Dispute: (International Association of Machinists
(and Aerospace Workers, AFL-CIO
(
(Chicago and North Western Transportation Company

Dispute: Claim of Employees:

1. The Chicago and North Western Transportation Company violated Rules No. 6, 29, 53, 61 and 62, beginning on December 21, 1973, when arbitrarily assigning Machinist duties of drilling and tapping traction motor support bearings to Electricians employed in the Traction Motor Shop at Oelwein, Iowa.
2. That, accordingly, the Carrier properly assign the work in dispute in accordance with the Machinists' Classification of Work Rule No. 62, and, further, the Carrier be required to compensate all of the Claimants listed in Exhibit "A", as attached hereto, in the amounts claimed.
The grievance claim which first occurred on December 21, 1973, is to be considered as a continuing violation of Rules No. 6, 29, 53, 61 and 62, and claims to continue to accumulate until such time as the instant dispute is properly adjusted.

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 fundamental issue involved in this case is the same as that considered in Award 7100 which arose out of a dispute involving the same parties, the same rules, the same location and, essentially, the same disputed questions. Accordingly, we find our Award 7100 controlling in this case, and the claim is denied.

A W A R D

Claim denied.

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Award No. 7101
Docket No. 6840-T
2-C&NW-MA-'76

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 16th day of July, 1976.