

The Second Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.

Parties to Dispute: ( System Federation No. 3 (59), Railway Employees'  
( Department, A. F. of L. - C. I. O.  
( (Carmen)  
(  
( Louisiana and Arkansas Railway Company

Dispute: Claim of Employees:

1. That the Carrier's use of other than Carmen (outside contractor) to load wrecked cars at Mansfield, La., March 25, 1974, was improper under the controlling agreement.
2. That, accordingly, the Carrier be ordered to compensate the following four (4) Carmen employed at Deramus Yard, Shreveport, La., eight and one-half (8½) hours each at pro rata rate:

J. E. Glaze  
J. L. McCann

J. M. Downs  
W. W. Walker

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.

Except for the time and location this dispute is not material different to the one covered in Award No. 7157. For the reasons stated in that Award the Claim is denied.

A W A R D

Claim denied.

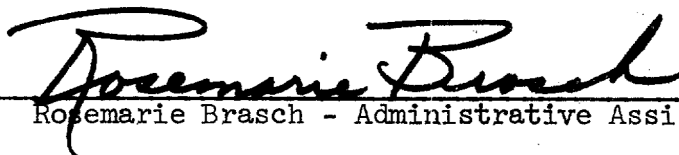
Form 1  
Page 2

Award No. 7058  
Docket No. 7000  
2-L&A-CM-'70

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest: Executive Secretary  
National Railroad Adjustment Board

By



Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 29th day of October, 1976.