

The Second Division consisted of the regular members and in addition Referee Nicholas H. Zumas when award was rendered.

Parties to Dispute: (Sheet Metal Workers' International Association
(Clinchfield Railroad Company

Dispute: Claim of Employees:

1. That under the terms of the Controlling Agreement, the Clinchfield Railroad Company failed to compensate Sheet Metal Workers D. V. Lynch, R. W. Carr and L. Watts for changing shifts on February 20, 1975, March 30, 1975 and April 1, 1975.
2. That accordingly the Clinchfield Railroad Company be ordered to additionally compensate Sheet Metal Workers D. V. Lynch, R. W. Carr and L. Watts in the amount of four (4) hours pay at the straight time rate of pay for this change of shifts occurring on February 20, 1975, March 30, 1975 and April 1, 1975.

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.

Carrier's action of reducing forces resulted in displacements to different shifts because Claimants could not displace on their own shifts. The dispute herein differs from that in our Award No. 7272 in that Claimants exercised their seniority to displace on another shift; however the principles set forth in that award are equally applicable here.

A W A R D

Claim denied.

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 5th day of April, 1977.