

The Second Division consisted of the regular members and in addition Referee Robert A. Franden when award was rendered.

Parties to Dispute: ( System Federation No. 2, Railway Employees'  
( Department, A. F. of L. - C. I. O.  
( (Carmen)  
(  
( Missouri Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company violated the controlling agreement, particularly Rules 117, 127 and 26(a) as amended by Article III of the Agreement of September 25, 1964, when other than carman was used to repair train line on freight car at Gypsum, Kansas, on February 18, 1975.
2. That accordingly, the Missouri Pacific Railroad Company be ordered to compensate Carman L. B. Cottrell six hours (6') at punitive rate to include one hour (1') preparatory time, two hours (2') traveling to Gypsum, Kansas, one hour (1') performing the work and testing car and two hours (2') traveling to home point, Wichita, Kansas.

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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.

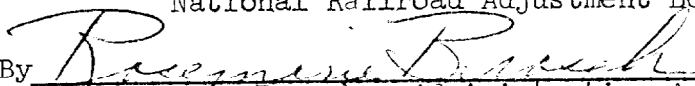
The parties and issues presented in this dispute are identical to those in our Award No. 7310. The same reasoning and findings will be applied hereto as contained in our Award No. 7310.

A W A R D

Claim sustained at the pro rata rate.

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 5th day of July, 1977.