

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

Parties to Dispute: (System Federation No. 4, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Blacksmiths)
(
(Chesapeake and Ohio Railway Company

Dispute: Claim of Employees:

1. That Rule 13 of the Current Agreement was violated when on August 5, 1974 Blacksmith Chester C. Arnett and Blacksmith Helper Marvin Ronk were required to report for work on the Second Shift at Raceland Car Shop.
2. That accordingly the Carrier be ordered to compensate Blacksmith Chester C. Arnett and Blacksmith Helper Marvin Ronk four (4) hours pay each at the applicable pro rata rate.

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.

This case arose out of the Carrier's failure to give five working days' written notice of the abolishment of the claimant's position as required by Rule 27. Awards Nos. 6791 and 7339 under the same agreement have held that such advance notice is required. This Board does not believe there is any basis for disturbing the results in these and other awards. The claim therefore must be sustained.

A W A R D

Claim sustained.

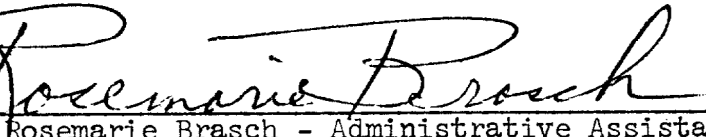
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Award No. 7585
Docket No. 7155
2-C&O-CM-'78

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 12th day of July, 1978.