

The Second Division consisted of the regular members and in addition Referee Abraham Weiss when award was rendered.

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

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company violated the controlling Agreement, particularly Rules 21, 26(a) and 97 on May 1, 2, 5, 6 and 7, 1975, when they improperly assigned Carman Painters the duties of sanding signs, Machinists performing pipe work in Power House.
2. That accordingly the Missouri Pacific Railroad Company be ordered to compensate Sheet Metal Worker L. D. Garrison eight (8) hours at the punitive rate of pay on each of the following days - May 1, 2, 5, 6 and 7, 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 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.

This claim is companion to a similar claim filed by Petitioner upon Carrier and considered by this Board in Award No. 7694. Except for dates claimed, the issue in this dispute is identical with the issue considered in Award No. 7694. The instant claim is denied for the same reasons stated in Award No. 7694.

A W A R D

Claim denied.

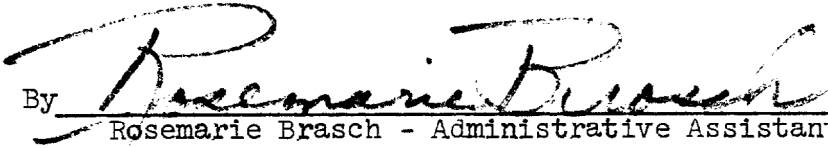
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Award No. 7695
Docket No. 7392-T
2-MP-SM-'78

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 25th day of October, 1978.