

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

PARTIES TO DISPUTE: (Sheet Metal Workers International Union
(CSX Transportation, Inc. (Seaboard System Railroad)

STATEMENT OF CLAIM:

1. Sheet Metal Workers R. G. Durham, R. M. Tidwell and J. D. Brown were forced to change shift and not allowed change of shift pay.
2. Sheet Metal Workers R. G. Durham and J. D. Brown be paid 4 hours at pro rata rate for change of shift on March 30, 1985 and Sheet Metal Worker R. M. Tidwell 4 hours at pro rata rate for change of shift April 1, 1985.

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 employes 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 Claimants in this case were displaced from their first shift positions by senior employees. The Claimants then exercised their seniority rights and displaced junior employees on the second shift. The claim is made under Rule 14(a) which reads:

"Employees changed from one shift to another will be paid overtime rate for the first shift of each change. Employees worked two shifts or more on a new shift shall be considered transferred. This will not apply when shifts are changed at the request of the employees involved."

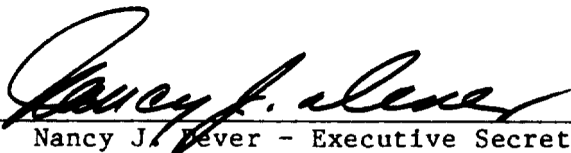
Numerous Awards in this industry have held, under similar circumstances as present in this case, that changes such as those made by the Claimants are voluntary to avoid furlough (see Second Division Awards 10819, 10097, 9709, 6279, 6119, 5409, 2067 and 1816).

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Fever - Executive Secretary

Dated at Chicago, Illinois, this 25th day of January 1989.