

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 11720
Docket No. 11577
89-2-88-2-59

The Second Division consisted of the regular members and in addition Referee John C. Fletcher when award was rendered.

PARTIES TO DISPUTE: (Brotherhood Railway Carmen/Division of TCU
(
(Illinois Central Railroad

STATEMENT OF CLAIM:

1. That Carrier violated the current agreement by furloughing Carmen T. P. Graves and M. R. Taylor at Corinth, Mississippi and transferring or sending carmen from Jackson, Tennessee to Corinth, Mississippi to perform the work in Corinth, which was performed by Carmen Graves and Taylor before being furloughed.

2. That accordingly, Carrier be ordered to discontinue these violations and pay Carmen Graves and Taylor for five (5) eight (8) hour days each week, plus all benefits under the agreements starting after March 19, 1987 and continue to pay each claimant until violations cease.

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 two furloughed Carmen involved in this Claim are seeking compensation account Carrier using Carmen regularly assigned at Jackson, Tennessee to travel to Corinth, Mississippi, on a number of occasions, to make equipment repairs. Carrier has denied the Claim on the grounds that Claimants do not have basic seniority rights to any work at the involved location.

From study of the undisputed facts in this record and examination of the applicable Agreement provisions we can only conclude that the contention of the Carrier is sound. Petitioner has not demonstrated, to our satisfaction, Agreement support for its Claim. The Claim will be denied.

Form 1
Page 2

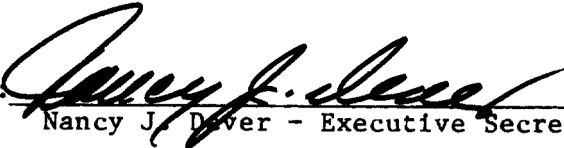
Award No. 11720
Docket No. 11577
89-2-88-2-59

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest.


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 3rd day of May 1989.