

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

PARTIES TO DISPUTE: (Brotherhood Railway Carmen/Division of TCU
(
(Southern Railway Company

STATEMENT OF CLAIM:

1. That under the current Agreement the Southern Railway Company improperly called carmen for overtime at Macon, Georgia on August 28, 1988.

2. That accordingly, the Southern Railway Company be ordered to pay Carman A. Lucas fourteen (14) hours pay at the overtime rate and Carman H. T. Conger eleven (11) hours pay at the overtime 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 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 objected to Carrier's call of two individuals to perform certain overtime work based upon Rule 10 which seeks to distribute overtime "as equally as possible."

The two individuals worked the extra time contiguously to their own regular shifts concerning a derailment.

Second Division Award 11955 considered a similar claim concerning a dispute between these same parties, at this same location, which arose some months prior to the instant dispute. The cited Award noted that the Rule language does not contemplate a rotating assignment of overtime, but rather, it contemplates an effort to provide equal distribution.

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Award No. 12064
Docket No. 11977
91-2-90-2-89

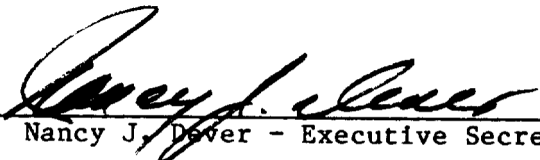
Award 11955 refers to future efforts to adhere to a developed practice, but that Award was published long after the events of record here, and thus can have no bearing on our Award.

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 5th day of June 1991.