

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 12371
Docket No. 12338
92-2-91-2-128

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

PARTIES TO DISPUTE: (International Brotherhood of Electrical Workers
(Bessemer and Lake Erie Railroad Company

STATEMENT OF CLAIM:

Claim identified as Case 83 - Claim by Traveling Crane Operator R. S. Boyd for five (5) hours straight time pay at the current rate of pay for crane operators, because on August 11, 1990 electricians were called out on overtime and operated the overhead cranes.

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.

Electricians working overtime during the course of repairing traction motors operated an overhead crane for a period that was less than one hour. The Claimant asserts that pursuant to Rule 94 he should have been called for the overtime work.

The substance of the Carrier's denial of the claim as set forth in its letter of April 19, 1991, was not rebutted by the Organization on the property. As claimed by the Carrier for some thirty-five years, the parties have applied what they considered to be the clear and unambiguous language of Rule 94, paragraph 6. There is no basis to sustain the claim.

A W A R D

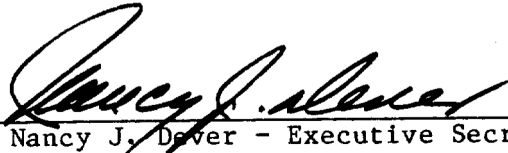
Claim denied.

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NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 1st day of July 1992.