

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

**Award No. 14018
Docket No. 13900
10-2-NRAB-00002-090013**

The Second Division consisted of the regular members and in addition Referee William R. Miller when award was rendered.

PARTIES TO DISPUTE: (
(Brotherhood Railway Carmen Division of TCIU
(Springfield Terminal Railway Company

STATEMENT OF CLAIM:

“Claim of the Employees’:

- 1. That the Springfield Terminal Railway Company violated the terms of our current Agreement in particular, Rules 2.1 (a) and (i), when they did not call in Carman Richard Sibley to work on February 3, 2008.**
- 2. That, accordingly, the Springfield Terminal Railway Company be required to compensate Carman Richard Sibley in the amount of eight (8) hours at the overtime rate of pay. This is the amount he would have earned had the Carrier not violated the Agreement.”**

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 were given due notice of hearing thereon.

The facts of the instant dispute are very similar to those outlined in Second Division Award 14016 except for a different Claimant, location and claim date. The issue, however, is identical to the aforementioned Award. It deals with an allegation that a Supervisor drove to an interchange point to inspect a pipe train. The arguments and positions taken by both parties in the prior Award are the same and will not be repeated herein for the sake of brevity.

For the same reasoning set forth in Award 14016 the Board finds and holds that there was no violation of the Agreement and the claim must be denied.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Dated at Chicago, Illinois, this 14th day of January 2010.