

Award No. 3271
Docket No. 2836
2-GC&SF-CM-'59

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee James P. Carey, Jr., when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 97, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L.—C. I. O. (Carmen)**

GULF, COLORADO AND SANTA FE RAILWAY COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That under the current agreement the Carrier improperly sent Carmen Apprentices B. J. Swan and H. D. Teague out on line of road to Goldthwaite, Texas, with Carmen B. W. Stanford and J. D. Scott to apply wheels to A. T. S. F. Car No. 86589 on June 6, 1956.

2. That accordingly the Carrier be ordered to additionally compensate Carman A. M. Hodges and Carman Helper T. C. Page four (4) hours each at their applicable overtime rate of pay for the aforesaid violation.

EMPLOYEES' STATEMENT OF FACTS: The Gulf Coast and Santa Fe System, hereinafter referred to as the carrier, on June 6, 1956 sent Carmen Apprentices B. J. Swan and H. D. Teague, who are regularly employed as carmen apprentices by the carrier at Brownwood along with Carmen B. W. Stanford and J. D. Scott, who are regularly employed as carmen on the carrier's repair track at Brownwood, out on line of road to Goldthwaite, Texas, to apply wheels to A.T.S.F. Car No. 86589. These four (4) employes left Brownwood at 7:30 A. M. and returned at 1:20 P. M.

Carman A. W. Hodges and Carman Helper T. C. Page, hereinafter referred to as the claimants are regularly employed as such by the carrier on the repair track at Brownwood, Texas. Claimant Hodges is regularly assigned 4:00 P. M. to 12:00 Midnight—Monday through Friday, rest days Saturday and Sunday, and Claimant Page is regularly assigned 7:00 A. M. to 4:00 P. M. Monday through Friday, rest days Saturday and Sunday; however, on June 6, 1956 he was working vacation relief for Carman

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 employe 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 assignment of two carmen to Goldthwaite, Texas, on June 6, 1956, fully satisfied the requirements of Rule 112 and the additional assignment of two apprentices on the same work was not precluded by Rule 112 but was within the spirit of Rules 35(f) and 29(a).

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 24th day of June 1959.