

Award No. 5463
Docket No. 5156
2-LV-CM-'68

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

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

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 96, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Carmen)**

LEHIGH VALLEY RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

That the Carrier improperly assigned Trainmen on December 20, 1964 to perform the work of Carmen in making inspection, air test and the related coupling of air hoses on 21 cars on Track No. 24 in Richards Yard, Easton, Pa., prior to departing eastbound.

That accordingly the Carrier be ordered to compensate Carman A. M. DeBellis in the amount of eight (8) hours at the time and one-half rate of pay for December 20, 1964.

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 waived right of appearance at hearing thereon.

In this case there is no substantial difference in fact, and the issue presented is identical with that considered and decided by the Board in Award No. 5462.

Accordingly, the claim here will also be denied.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **SECOND DIVISION**

ATTEST: Charles C. McCarthy
Executive Secretary

Dated at Chicago, Illinois, this 21st day of June, 1968.

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