

**Award No. 5579**

**Docket No. 5400**

**2-CB&Q-EW-'68**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee George S. Ives when award was rendered.

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**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 95, RAILWAY EMPLOYEES'  
DEPARTMENT, AFL-CIO (Electrical Workers)**

**CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

1. That, in violation of the current Agreement, the Carrier improperly assigned Division Linemen to perform the installation work of telegraph, telephone, teletype and radio control equipment during the month of April, 1966.

2. That, accordingly, the Carrier be ordered to compensate System Communication Installer Arthur Meyer for eighty (80) hours for the work performed during the above mentioned period by others.

**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 fundamental issues involved in this case are the same as those considered in Award No. 5578, which arose out of a like dispute between the parties under the same provisions of the applicable Agreement. Accordingly, we find our Award No. 5578 controlling in this case, despite variations in dates and locations, which do not warrant repetitive discussion.

**AWARD**

Claim is denied.

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

**ATTEST: Charles C. McCarthy  
Executive Secretary**

Dated at Chicago, Illinois, this 14th day of November, 1968.

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