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Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD  
SECOND DIVISION

Award No. 6351  
Docket No. 6206  
2-GM&O-CM-'72

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

Parties to Dispute: ( System Federation No. 29, Railway Employees'  
( Department. A. F. of L. - C. I. O.  
( (Carmen)  
( Gulf, Mobile and Ohio Railroad Company

Dispute: Claim of Employes:

1. That the Carrier violated the agreement when it required the Repair Track force at Iselin Shops, Jackson, Tennessee, to work thirty (30) minutes beyond the quitting time assigned to the Wheel shop, and thirty (30) minutes beyond the time the back shop force was permitted to quit in the period July 26, 1970 to November 23, 1970.
2. That accordingly, Carrier be ordered to additionally compensate the Repair Track force for one (1) hour at the straight time rate each day so worked in that period, as follows:  
W. E. Presson, F. T. Presson, W. Q. Boyd, C. A. Graves, J. W. Turner, A. M. Gowan, W. L. Stewart, E. L. Wyatt, H. G. Mount, J. H. Sipes, R. I. McLeary, C. L. Howard, J. C. Harris, T. R. Broadway, and S. T. Williamson (incorrectly listed as Williams) who worked Monday through Friday.  
L. E. Jones, W. L. Herndon, E. H. Cathey who worked Tuesday through Saturday.  
B. R. Jones who worked Monday through Friday September 11 to September 14, and Tuesday through Saturday beginning September 15, 1970.  
J. W. Mount who worked Mondays only.  
L. C. Nolan and J. R. Mills who worked Wednesdays only.

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.

The claim has to do with the assigned starting and quitting time of forces at Carrier's Iselin Shops, Jackson, Tennessee.

The record in the case is voluminous; however, it does show that the alleged violation was settled by the Chief Mechanical Officer's letter of November 13, 1970, addressed to the Secretary-Treasurer of System Federation No. 29, copy of which has been submitted as Exhibits by both parties. Part 1 of the claim, has, therefore, become moot and will be dismissed.

As to Part 2 of the claim, the assertions of the parties are so conflicting, and with probative evidence so lacking, that the Board cannot determine just what the facts were. Certainly the record, in the shape that it is in, would not warrant the awarding of the compensation sought. This portion of the claim will likewise be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:

E. A. Killen

Executive Secretary

Dated at Chicago, Illinois, this 13th day of July, 1972.