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Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 6380
Docket No. 6230
2-C&O-CM-'72

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

Parties to Dispute: (System Federation No. 41, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Carmen)
(
(The Chesapeake and Ohio Railway Company
((Chesapeake District)

Dispute: Claim of Employees:

1. That Freight Car Painter, C. F. Moellman, was improperly compensated Sunday, June 28, 1970 (his second rest day of his regular assigned work week) when only allowed time and one-half ($1\frac{1}{2}$) rate, in violation of National Agreement signed April 24, 1970.
2. Accordingly Moellman is entitled to be additionally compensated the difference between time and one-half ($1\frac{1}{2}$) and double time rate for twelve (12) hours and fifteen (15) minutes at Locomotive Painters applicable rate.

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 waived right of appearance at hearing thereon.

This is a companion case to the claim made in Award No. 6379. Except for a different named claimant, the claim is the same, the facts are the same, the same parties are involved, the arguments and submissions are the same. There is no purpose to be served by repeating the opinion of the Board which may be relied upon as though set forth at length in this case.

A W A R D

The claim is sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:

E. A. Killean
Executive Secretary

Dated at Chicago, Illinois, this 28th day of September, 1972.