

The Second Division consisted of the regular members and in addition Referee C. Robert Roadley when award was rendered.

Parties to Dispute: (System Federation No. 7, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Carmen)
(
(Burlington Northern Inc.

Dispute: Claim of Employees:

- 1) That the Burlington Northern Inc. violated the provisions of Rule 98(c) when it assigned Laborer Robert Jodl to perform carmen helpers' work on cabooses at Northtown Caboose Track, Minneapolis, Minnesota.
- 2) That accordingly the Carrier be ordered to compensate the following named carmen helpers eight (8) hours each at the time and one-half rate on each date shown following the claimants' name:

<u>CLAIMANT</u>	<u>DATES OF CLAIM</u>
M. R. Hammer	April 11-12-18-19 of 1974 May 2- 3- 9-10 of 1974
P. L. Ramirez	April 13-20 of 1974 May 4-11 of 1974
T. N. Richardson	April 15-22 of 1974 May 6-13 of 1974
C. K. Peterson	April 14-28 of 1974 May 5 of 1974

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.

With the exception of claim dates this dispute is identical to that covered by Award No. 7244 involving the same parties, the same issue, and the same claimants. Additionally, the partisan submissions in this case, with the exception of minor and immaterial differences, are identical to their submissions in Award No. 7244.

Therefore, there being nothing of material substance to justify a departure by the Board from its determination in Award No. 7244 we will dismiss the claim herein.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 11th day of March, 1977.