

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

Parties to Dispute: (System Federation No. 76, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Boilermakers-Blacksmiths)
(Chicago, Milwaukee, St. Paul and Pacific Railroad Company

Dispute: Claim of Employees:

1. That, in violation of the current agreements, the Carrier misassigned work belonging to the Boilermaker Craft, when on date of May 21, 1976 and May 22, 1976, Machinists were assigned to remove the roof section of diesel unit # 5701.
2. That accordingly, the Carrier be ordered to compensate Claimant Retterath at the prevailing overtime rate for call time of:
 - (a) Three hours and twenty minutes for work performed by the Machinists on May 21, 1976.
 - (b) Three hours and twenty minutes for work performed by the Machinists on May 22, 1976.

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 employees 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.

This is a companion case to Award No. 7722.

Since the Board has carefully reviewed the other case, the findings in Award 7722 are dispositive of this claim.

A W A R D

Claim denied.

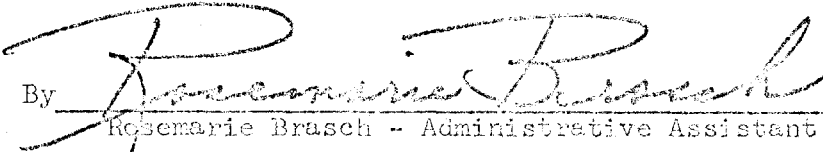
Form 1
Page 2

Award No. 7721
Docket No. 7575-T
2-CMStP&P-EM-'78

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By


Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 1st day of November, 1978.