

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

Parties to Dispute: (System Federation No. 6, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Carmen)
(Chicago, Rock Island and Pacific Railroad Company

Dispute: Claim of Employees:

- (1) That under the current Agreement the Carrier improperly permitted the use of other than Carmen (Milwaukee Car Foreman and Section Man) to perform Carmen's work of adjusting and securing a shifted load of lumber at Muscatine, Iowa on June 14, 1977.
- (2) That accordingly the Carrier be ordered to compensate Carmen J. L. Sharpe, Jr., and W. Gotthardt four (4) hours pay each time and one half 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 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.

Though the nature of the work is different, for the reasons stated in our Award No. 7793 we will deny the claim.

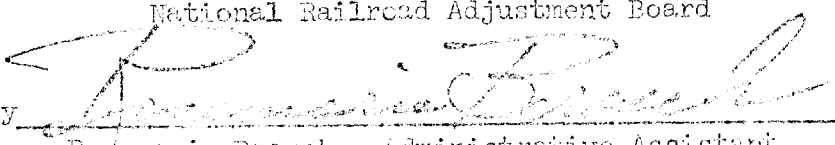
A W A R D

Claim denied.

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 4th day of January, 1979.