

The Second Division consisted of the regular members and in addition Referee David H. Brown when award was rendered.

Parties to Dispute: { International Brotherhood of Electrical Workers
 {
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 { Burlington Northern Inc.

Dispute: Claim of Employees:

1. That in violation of the current agreement, the Burlington Northern Inc., did deliberately assign temporary exempt personnel to ride and maintain heater cars at Minneapolis, Minnesota, work contractually belonging to the Electricians Craft as defined in our current working agreement.
2. That accordingly, the Burlington Northern Inc., be ordered to compensate Electricians V. Thompson and W. Woll for eight hours compensation each at the time and one-half rate for each day that exempt personnel ride and maintain the heater cars to and from the Northtown (Minneapolis) Minnesota area. Claim to be equally divided among the Claimant's and to start beginning on date of November 12, 1977 and continuing until adjusted.

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 record herein differs from that in Award No. 8490 only in that certain additional evidence has been offered by the Organization. We do not find such evidence persuasive. The record will not support a sustaining award.

A W A R D

Claim denied.

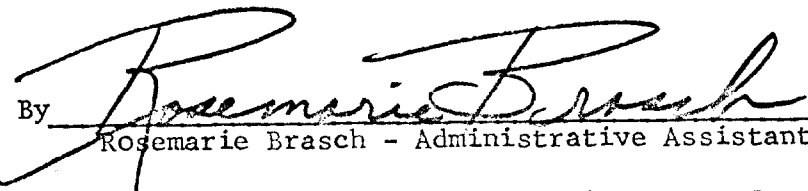
Form 1
Page 2

Award No. 8498
Docket No. 8227-T
2-BNI-EW-'80

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 19th day of November, 1980.