

The Second Division consisted of the regular members and in addition Referee Robert M. O'Brien when award was rendered.

Parties to Dispute: ( International Association of Machinists and Aerospace Workers  
( Consolidated Rail Corporation

Dispute: Claim of Employees:

1. The Consolidated Rail Corporation violated Rule 2-A-4.
2. That machinists K. Deseve, R. Rider, J. Kummer and S. Foreman be compensated 3 hours pay each, at the prevailing machinists rate of pay for the Carrier's violation of rule 2-A-4 of the controlling Agreement.
3. That machinist R. Dominy be compensated 15 hours pay (3 hours each claim) at the prevailing machinists rate of pay for the Carrier's violation of rule 2-A-4 of the controlling Agreement.

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 employes 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 Organization asserts that Carrier moved the Claimants from their regular assignments for more than three (3) hours contrary to the provisions of Rule 2-A-4. It therefore requests that they be compensated the additional pay set forth in Rule 2-A-4.

This Division agrees with the Carrier that the instant claims filed by the Organization are vague and imprecise. For instance, we are unable to discern from the claims the precise dates on which Carrier allegedly violated Rule 2-A-4. Nor do the claims explain where the Machinists in question were employed; or the basis of the purported violation of Rule 2-A-4. The instant claims simply failed to comply with the instructions outlined in Circular No. 1 of the National Railroad Adjustment Board. Consequently, they must be dismissed because of their procedural irregularity. No finding is made on the merits of the claims presented, however, in the light of this ruling.


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Award No. 9818  
Docket No. 9551  
2-CR-MA-'84

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

ATTEST:   
Nancy J. Deyer - Executive Secretary

Dated at Chicago, Illinois this 7th day of March, 1984