

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 10727
Docket No. 9920
2-CofG-CM-'86

The Second Division consisted of the regular members and in addition Referee Lamont E. Stallworth when award was rendered.

(Brotherhood Railway Carmen of the United States
(and Canada

Parties to Dispute: (

(Central of Georgia Railroad Company

Dispute: Claim of Employees:

1. That Carman W. E. Parker, Columbus, Georgia, was denied back time pay as provided for by the December 11, 1981 Agreement and was paid the old rate of pay for five (5) weeks vacation.

2. That accordingly, the Carrier be ordered to pay Carman W. E. Parker back time pay from April 1, 1981 through October 27, 1981 and also adjust his five weeks vacation pay in accordance with the provisions of the December 11, 1981 National 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 employees involved in this dispute are respectively carrier and employees 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 Board concludes that the Claimant did not have an employment relationship as of the date of the Agreement, December 11, 1981.

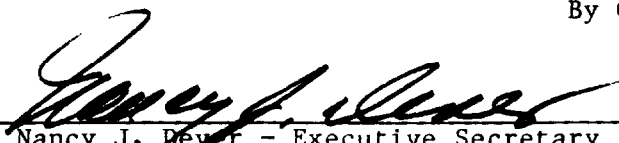
The Board reasons that because Claimant was dismissed in October, 1981 he does not qualify for coverage under the applicable Agreement.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dwyer - Executive Secretary

Dated at Chicago, Illinois, this 19th day of February 1986.