

The Second Division consisted of the regular members and in addition Referee John C. Fletcher when award was rendered.

(International Brotherhood of Electrical Workers
PARTIES TO DISPUTE: (
(Elgin, Joliet and Eastern Railway Company

STATEMENT OF CLAIM:

1. That the Elgin, Joliet and Eastern Railway Company violated the current agreement when on August 18, 1986 they improperly assigned Linemen's work to employes not holding seniority as Linemen.

2. That the Elgin, Joliet and Eastern Railway Company further violated the current agreement when they failed to recall to service furloughed Linemen R. H. Hazelrig, W. H. Shea, and T. H. Isaacson to properly perform this Linemen's work.

3. That the Elgin, Joliet and Eastern Railway Company compensate the Claimants forty (40) hours each at the pro rata rate, with all of the Claimants rights and benefits unimpaired.

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.

Coincident with a nationwide strike sustained by its major customer (U. S. Steel), Carrier, on August 1, 1986, furloughed all of its active Linemen.

On August 18, 1986 a primary fuse opened on a pole-mounted transformer located outside of Carrier's General Office Building in Joliet, Illinois, causing a loss of electricity to that building. It is undisputed that three Carrier supervisors collectively performed approximately nine (9) hours of Linemen's work effecting repairs. The Carrier failed to adequately refute the Organization's position that the Claimants were entitled to be used. Therefore, under the particular facts and circumstances involved, each Claimant shall be allowed three (3) hours compensation at pro rata rates of pay.

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Award No. 11582
Docket No. 11520
88-2-87-2-182

A W A R D

Claim sustained in accordance with the Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: 
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 21st day of September 1988.