

The Second Division consisted of the regular members and in addition Referee Hyman Cohen when award was rendered.

(Brotherhood Railway Carmen of the United States and Canada
PARTIES TO DISPUTE: (
(Chicago and North Western Transportation Company

STATEMENT OF CLAIM:

1. Carmen Steve Foster, John Lins, Tony Wyant, Bruce Mussman, Mike Frommelt, Jim Hull, Harlan Blunt, Bill Johnson, Kenny Lawrence, Terrence Ligas, Rex Price, Sid Keahna, Steve Boyd, Albert Shank, Ron Thomas, Rich Rollins, Don Monaghan, Mark Wood, Bobby Haworth, Bill Cole, John Comer, Jr., Jim Grice and Jim Sharpe were deprived of work and wages to which they were entitled when the Chicago and North Western Transportation Company violated Article V of the Agreement of September 25, 1964 Agreement, as amended by Article VI of the December 4, 1975 Agreement, and Rules 14, 15, 30, 57, 58, 61 and 76 of the controlling agreement when it improperly assigned train crews to perform carmen's work of coupling air hoses and performing terminal air brake test and inspecting transfers on December 26, 27, 28, 29, 30, 1984 and January 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 31, 1985 Bell Avenue departure yard located in the Des Moines, Iowa Terminal.

2. That the Chicago and North Western Transportation Company be ordered to compensate the 23 Carmen Claimants as follows:

Carman Steve Foster is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of December 26, 1984 and January 22, 1985.

Carman John Lins is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violation of December 27, 1984 and January 17, 1985.

Carman Tony Wyant is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of December 28, 1984 and January 24, 1985.

Carman Bruce Mussman is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of December 29, 1984 and January 19, 1985.

Carman Mike Frommelt is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of December 30, 1985 and January 14, 1985.

Carman Jim Hull is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 2, and 15, 1985.

Carman Harlan Blunt is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 3 and 17, 1985.

Carman Bill Johnson is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 4 and 20, 1985.

Carman Mark Wood is entitled to be compensated in the amount of four (4) hours pay at \$13.21 per hour, amounting to a total of \$52.84 for violation of January 11, 1985.

Carman Bobby Haworth is entitled to be compensated in the amount of four (4) hours pay at \$13.21 per hour, amounting to a total of \$52.84 for violation of January 11, 1985.

Carman Bill Cole is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 12 and 26, 1985.

Carman John Comer, Jr., is entitled to be compensated in the amount of four (4) hours pay at \$13.21 per hour, amounting to a total of \$52.84 for violation of January 13, 1985.

Carman Jim Grice is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 25 and 17, 1985.

Carman Jim Sharp is entitled to be compensated in the amount of four (4) hours pay at \$13.21 per hour, amounting to a total of \$52.84 for violation of January 28, 1985.

Carman Kenny Lawrence is entitled to be compensated in the amount of four (4) hours pay at \$13.21 per hour, amounting to a total of \$52.84 for violation of January 4, 1985.

Carman Terrence Ligas is entitled to be compensated in the amount of twelve (12) hours pay at \$13.21 per hour, amounting to a total of \$158.52 for violations of January 5, 18, and 25, 1985.

Carman Rex Price is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour amounting to a total of \$105.68 for violations of January 6 and 21, 1985.

Carman Sid Keahna is entitled to be compensated in the amount of four (4) hours pay at \$13.21 per hour, amounting to a total of \$52.84 for violation of January 6, 1985.

Carman Steve Boyd is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 7 and 22, 1985.

Carman Albert Shank is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 8 and 29, 1985.

Carman Ron Thomas is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 9 and 23, 1985.

Carman Rich Rollins is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 10 and 16, 1985.

Carman Don Monaghan is entitled to be compensated in the amount of eight (8) hours pay at \$13.21 per hour, amounting to a total of \$105.68 for violations of January 10 and 31, 1985.

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.

As Third Party in Interest, the United Transportation Union was advised of the pendency of this dispute, but chose not to file a Submission with the Division.

The reasoning and decision contained in Second Division Award 11295 applies to the instant dispute.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 9th day of November 1988.