

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 11667
Docket No. 11541-I
89-2-88-2-53

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

(C. Allen and C. Holman

PARTIES TO DISPUTE: (

(Missouri Pacific Railroad Company

STATEMENT OF CLAIM:

1. That the Missouri Pacific Railroad Company violated Rule 8 of the controlling Agreement. When carmen from the repair track in Houston, Texas were sent to train yard to fill two yard jobs. For the past 35 years vacancies that occurred in the train yard at Houston, Texas, Settegast Yard were filled from the overtime board.

2. That accordingly the Missouri Pacific Railroad Company compensate Carmen C. Holman and C. Allen in the amount of 12 hours each for February 7, 1986 where the Missouri Pacific Railroad filled vacancies with Carmen G. Lawson and L. Manriquez who were assigned to repair track by bulletin, see Exhibit A1 through A6 bulletin for repair track does not mention train yard whatsoever.

FINDINGS:

The Second Division of the Adjustment Board upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee 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 two individual Claimants herein are contending that they should have been used on overtime on February 7, 1986, when Carrier reassigned two repair track carmen to work as inspectors in the Settegast train yard. From careful and complete examination of this record we fail to find Agreement support for their Claim. Additionally, Claimants' argument on past practice also fails for lack of evidence. The Claim will be denied.

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A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Lever - Executive Secretary

Dated at Chicago, Illinois, this 1st day of March 1989.