

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

(Brotherhood Railway Company/Division of TCU

PARTIES TO DISPUTE: (

(The Atchison, Topeka and Santa Fe Railway Company

STATEMENT OF CLAIM:

1. That under the current working Agreement, as amended, the Atchison, Topeka and Santa Fe Railway Company did unilaterally and arbitrarily violate Rule 1(e) of the September 1, 1974 Agreement, as amended, by abolishing all of the repair track positions with Saturday and Sunday as rest days and rebulletining all of the repair track positions with Monday and Tuesday as rest days.

2. That accordingly, the Atchison, Topeka and Santa Fe Railway Company be ordered to compensate the following named Claimants eight (8) hours pay for each Monday in November, 1988 and eight (8) hours pay for each Tuesday in November, 1988 that they were denied the right to work on those Mondays and Tuesdays and were forced to observe those Mondays and Tuesdays as their rest days in violation of the Agreement for the total amount of hours specified below at their pro rata rate of pay.

F. W. George	Forty-eight	(48)
E. L. Schielock	Forty-eight	(48)
D. K. Amberg	Forty-eight	(48)
J. W. Copeland	Forty-eight	(48)
F. Lopez	Forty	(40)
C. R. Waldrop	Thirty-two	(32)
J. R. Cervantez	Thirty-two	(32)
T. H. Wootton	Sixteen	(16)

Time claimed was for the Mondays and Tuesdays in November, 1988 that the Claimants would have normally worked and should have been allowed to work (Mondays and Tuesdays) in accordance with the Agreement and were made to work on Saturdays and Sundays in violation of the Agreement. Claim is made only for time and days that the Claimants should have been allowed to work and normally would have worked.

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.


In our Award 12015 we considered an identical Claim to that involved in this Docket. The Claim in Award 12015 was for 8 Claimants for 3 dates during May 1988. This Claim is for 8 Claimants for 6 dates in November 1988. We will follow the decision in Award 12015 and sustain this Claim.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Beyer - Executive Secretary

Dated at Chicago, Illinois, this 20th day of February 1991.