

The Second Division consisted of the regular members and in addition Referee Joseph A. Sickles when award was rendered.

PARTIES TO DISPUTE: (Brotherhood Railway Carmen/Division of TCU  
(Southern Pacific Transportation Company (Western Lines)

STATEMENT OF CLAIM:

1. That the Carrier violated the terms of the controlling agreement between the Southern Pacific Company and the Organization, Rule 15, when the Carrier failed to compensate Carman J. H. Pope the appropriate compensation.

2. Accordingly, the carrier be ordered to comply with the provisions of the Agreement and allow the Claimant four (4) hours additional pay for each of the dates, July 27 and 28, 1989.

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.

The Claimant had performed work on a derailment on July 11 and 12, 1989. On July 27, 1989, he was sent back to the same site, and performed repair work to the same cars.

The Organization contends that the Claimant performed work on the same "wreck" and therefore his work was as much "wrecking service" as the work performed sixteen days earlier and, accordingly, he should have been compensated at a higher rate of pay.

The Carrier denied the Claim, asserting that the Claimant merely performed his regular and routine repair duties, and the fact that he performed work on cars that had been previously involved in the derailment does not convert the work into "wrecking service" or related work.

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Docket No. 12007  
91-2-90-2-132

We have reviewed Second Division Award 10887 which we feel is controlling here. We find nothing of record to suggest that the work in question was other than normal road work.

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 13th day of March 1991.