

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 12539
Docket No. 12509-T
93-2-92-2-28

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

PARTIES TO DISPUTE: (International Brotherhood of
(Electrical Workers
(Union Pacific Railroad Company

STATEMENT OF CLAIM:

"1. That the Union Pacific Railroad Company violated the controlling agreement, particularly Rules 32, 122 and Ruling No. 19 when they assigned electricians' work of lighting equipment at derailment to a B&B Carpenter on March 28, 29 and 30, 1991, at Pegram, Idaho.

2. That accordingly, the Union Pacific Railroad Company be ordered to compensate Electrician K. R. Riley in the amount of eighty-four hours fifteen minutes (84'15") at straight time rate of pay as he was available to perform this work had he been called."

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 employe 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 American Railway and Airway Supervisors Association was advised of the pendency of this dispute, but chose not to file a Submission with the Division.

This is the companion case to Second Division Award 12538. We find here, as we found there and for the same reasons, that the claim must be dismissed.

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A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Deyer - Secretary to the Board

Dated at Chicago, Illinois, this 23rd day of June 1993.