

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Form 1

Award No. 12541
Docket No. 12033-T
93-2-90-2-127

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

(International Brotherhood of Electrical
Workers)

PARTIES TO DISPUTE: (
Consolidated Rail Corporation

STATEMENT OF CLAIM:

"Claim on behalf of Electrician W. E. Sebring for eight (8) hours' pay at overtime rate for July 31, 1989 account the Consolidated Rail Corporation improperly assigned Machinist J. Pries to work the electrician position held by Electrician B. A. Kauderer, 4:00 PM to Midnight, July 31, 1989, Fuel Pad, Frontier Diesel Shop, Buffalo, NY when Electrician Kauderer was absent that day."

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 the Third Party in interest, the International Association of Machinist and Aerospace Workers was advised of the pendency of this dispute and filed a submission with the Board.

The Claim involved in this Docket is an exact duplication, in all respects, of the Claim involved in Second Division Award 12542. Accordingly, the Claim must be dismissed.

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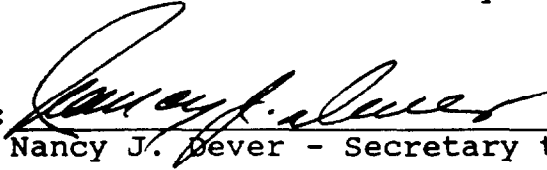
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A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:



Nancy J. Dever - Secretary to the Board

Dated at Chicago, Illinois, this 21st day of July 1993.