

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 12617
Docket No. 12554
93-2-92-2-92

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

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

STATEMENT OF CLAIM:

- "1. That the Union Pacific Railroad Company violated the current agreement and in particular Rule 37, when Electrician Gerald Strachan, was unjustly dismissed from service on the date of April 22, 1991, at Los Angeles, California.
2. That accordingly, the Union Pacific Railroad Company be ordered to compensate Electrician Gerald Strachan as follows:
 - a. Compensated for all lost time including all overtime at the prime rate of interest.
 - b. Returned to service with all seniority rights unimpaired.
 - c. Made whole for all vacation rights.
 - d. Made whole for all health, welfare and insurance benefits.
 - e. Made whole for pension benefits, including railroad retirement and unemployment insurance.
 - f. Made whole for any and all other benefits that he would have earned during the time withheld from service."

FINDINGS:

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

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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.

The Claim involved in this Docket is an exact duplication, in all respects, of the Claim involved in Second Division Award 12615. Therefore, the claim must be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Catherine Loughrin
Catherine Loughrin Interim Secretary to the Board

Dated at Chicago, Illinois, this 17th day of November 1993.