

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 12930
Docket No. 12864
95-2-94-2-5

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

PARTIES TO DISPUTE: (International Brotherhood of Firemen
(and Oilers
(
(CSX Transportation, Inc. (former
(Seaboard Coastline Railroad)

STATEMENT OF CLAIM:

- "1. That the CSX Transportation, (formerly Seaboard Coastline Railroad Company), violated the terms of the Labor Agreement when it failed to call E. I. Everett (Claimant) on March 2, 1993 and March 3, 1993 to fill a vacancy of the "Traveling Service Supplyman".
2. That the CSX Transportation (formerly Seaboard Coastline Railroad Company), be ordered to compensate Mr. E.I. Everett (Claimant) 16 hours at the time and one-half rate which is the amount of compensation he was denied because of the Carrier's improper application of the presiding agreement."

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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 were given due notice of hearing thereon.

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The facts of this case are on all fours with those in Second Division Award 12929 before this Board. Second Division Award 12929, in turn, is a companion case to that considered in Second Division Award 12928. We concluded in those two instances that there was not a sufficient basis to sustain the claims. We find no reason to vary from that decision here.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Dated at Chicago, Illinois, this 16th day of August 1995.