

The Third Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and Steamship Clerks,  
( Freight Handlers, Express and Station Employees  
(  
(The Atchison, Topeka & Santa Fe Railway Company

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood  
(GL-10088) that:

(a) Carrier violated the provisions of the current Clerks' Agreement at La Junta, Colorado on December 25, 1984 and January 1, 1985, when it required and/or permitted another employee to perform the work of Position No. 6013 on days which Carrier declared the position blanked, and

(b) Claimant E. Vela shall be compensated for eight (8) hours' pay at the time and one-half rate of RFO Clerk Position No. 6013 for December 25, 1984 and January 1, 1985. Claimant H. V. Holter shall now be compensated for eight (8) hours' pay at the time and one-half rate for December 25, 1984. Said compensation for Claimants shall be in addition to any other compensation received on said dates."

FINDINGS:

The Third 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 employees 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.

In this dispute, the Claimant holds an RFO Clerk position and was not assigned to work on two dates which were holidays (and which would otherwise have been scheduled work days). The claim alleges that work assigned to the Claimant was performed by another RFO Clerk while the Claimant's position was allegedly blanked.

Except as to dates and the particulars of the work involved, this dispute is the same as that considered in Third Division Award 27206. The Board here reaches the same conclusion as in that Award, based on the same reasoning.

Form 1  
Page 2

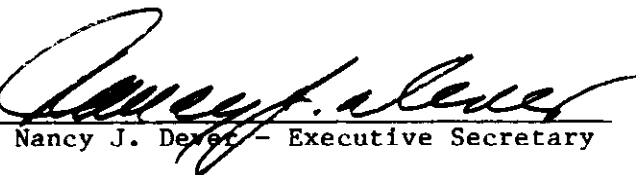
Award No. 27207  
Docket No. CL-27140  
88-3-86-3-208

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 20th day of July 1988.