

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

PARTIES TO DISPUTE: (Gerard Tobias
(
(Consolidated Rail Corporation

STATEMENT OF CLAIM: "Claims involving the violation of

- a. Rule 1-B&B Dept., Sec 2
- b. Rule 3, Sec. 1
- c. Rule 11-A, on or about October 2, 1985
and on or about October 7, 8, 9, 10 &
11, 1985.

Seeking straight time pay for the work of Mr. J. Bugle, Employee Number 878867 and Mr. D. Tullo, Employee Number 878902, both of whom are B&B mechanics. These individuals, on the above respective dates, performed work of a B&B plumber, even though Mr. Tobias was a qualified workman in the plumbing field and was willing and available to work these days."

FINDINGS:

The Third 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 employes 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.

Upon consideration of the entire record we find Petitioner's Claim to be vague and indefinite. This defect warrants dismissal. Additionally, even if the Claim was not defective, Petitioner merely asserts a violation of the Agreement without offering any support therefor. Accordingly, we do not have any alternative than to dismiss the matter.

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Award No. 27702
Docket No. MS-27664
89-3-87-3-33

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Deves - Executive Secretary

Dated at Chicago, Illinois, this 2nd day of February 1989.