

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

PARTIES TO DISPUTE: (Transportation Communications International Union  
(  
(CSX Transportation, Inc. (formerly The Louisville  
( and Nashville Railroad Company)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood  
(GL-10440) that:

1. Carrier violated the Agreement when it failed and/or refused to call the Senior Available Employee or an extra clerk to perform extra work done by an employee located at Jacksonville, Florida.

2. Carrier shall now compensate the Senior Available Employee, extra in preference, at the General Clerks rate of \$114.32 for violation of October 25, 1988."

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.

The underlying facts and issues in this case are identical to the facts and issues in Third Division Award 29175. There is not any evidence in this record which would warrant an outcome different from the result we reached in Award 29175. For the reasons more fully set forth in Award 29175, we must deny this Claim.

A W A R D


Claim denied.

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Award No. 29176  
Docket No. CL-29333  
92-3-90-3-233

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 3rd day of April 1992.