

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISIONAward No. 29728
Docket No. MW-29462
93-3-90-3-388

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 Maintenance of Way Employees
(
(Union Pacific Railroad Company (former
(Missouri Pacific Railroad Company)

STATEMENT OF CLAIM: "Claim of the System Committee of the
Brotherhood that:

- (1) The Agreement was violated when the Carrier changed the work week of employes on Gangs 9183 and 1129 from Monday through Thursday with Friday, Saturday and Sunday as rest days to a work week of Saturday through Tuesday with Wednesday, Thursday and Friday as rest days effective Saturday, March 25, 1989 (Carrier's File 890577 MPR).
- (2) As a consequence of the aforesaid violation, Claimants B. D. Clark, J. A. McCraw III, E. L. Harris, J. L. Hillery, P. D. Robertson, D. V. Mason, M. Hooks, B. Johnson, Jr., J. L. Jones, V. D. Randolph, D. Reaves, Jr., B. S. Emmerling, C. C. Smith, R. E. Walston, A. C. Rust, R. G. Smith, W. D. Pitman, M. C. Roberts, A. C. Drain, A. K. Scott, T. C. Haynes, W. W. Steele, C. L. Bohannon and T. R. Langston shall each be allowed:

'... payment of the difference owed for overtime work on Saturday, and Sunday, for a total of ten (10) hours per week, plus payment of ten (10) hours per day for Wednesday, and Thursday, for a total of thirty (30) hours per week, at the straight time rate, from Saturday, March 25, 1989, continuing thereafter, until such time as the gangs are placed back on the original work days of Monday through Thursday, with rest days of Friday, Saturday, and Sunday.....'"

Form 1
Page 2

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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 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.

Except as to the Claimants involved, this Claim is identical to that reviewed in Third Division Award 29726, which is incorporated herein by reference. The Board reaches the same conclusion as in that Award.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: Nancy J. Dever
Nancy J. Dever - Secretary to the Board

Dated at Chicago, Illinois, this 12th day of August 1993.