

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISIONAward No. 30010  
Docket No. MW-29537  
94-3-90-3-477

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  
(  
(CSX Transportation, Inc. (Former Seaboard  
(Coastline Railroad Company)

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

- (1) The Agreement was violated when the Carrier failed and refused to properly compensate Cook M. A. Lang for the overtime service he performed on August 23, 24, 25, 26, 27, 28, 29, September 7, 8, 9, 10, 11 and 12, 1989 [System File COOKS-89-51/12(89-1044) SSY].
- (2) The Agreement was further violated when the Carrier failed and refused to properly compensate Cook N. Solomon for the overtime service he performed on August 25, 26, 27, 28, 29, September 7, 8, 9, 10, 11 and 12, 1989.
- (3) The Agreement was further violated when the Carrier failed and refused to properly compensate Cook D. L. Jones for the overtime service he performed on September 7, 8, 9, 10, 11 and 12, 1989.
- (4) As a consequence of the violation in Part (1) above, Mr. M. A. Lang shall be paid seven hundred one dollars and forty-six cents (\$701.46)
- (5) As a consequence of the violation in Part (2) above, Mr. N. Solomon shall be paid six hundred sixty-six dollars and eighty-two cents (\$666.82).
- (6) As a consequence of the violation in Part (3) above, Mr. D. L. Jones shall be paid three hundred fifty-nine dollars and thirty-nine cents (\$359.39)."

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.

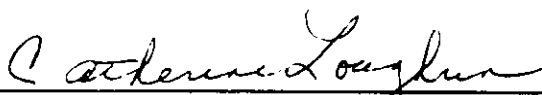
Except as to dates, this Claim is identical to that reviewed in Third Division Award 30009, and the Board reaches the same conclusion.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Catherine Loughrin - Interim Secretary to the Board

Dated at Chicago, Illinois, this 21st day of January 1994.