

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award No. 30169
Docket No. MW-29673
94-3-91-3-16

The Third Division consisted of the regular members and in addition Referee Thomas J. DiLauro when award was rendered.

PARTIES TO DISPUTE: (CSX Transportation, Inc. (former
(Seaboard Coast Line Railroad Company)
(Brotherhood of Maintenance of Way Employees

STATEMENT OF CLAIM:

- "1. The Union alleges that Cooks O. C. Hodges, ID# 175030, Nathaniel Solomon, ID# 174187 and J. L. Carter, ID# 171671 performed overtime service for which they were not paid. [Carrier's file 12 (90-117), Organization's file COOKS-90-6].
2. As a consequence the Union demands that the Carrier submit to their unsupported demand to compensate Claimant Hodges 35 hours and 15 minutes pay at time and one-half rate for dates of November 1, 2, 3, 4, 5, 6, 7, 15, 16, 17, 18 and 19, 1989; plus 21 hours pay at time and one-half rate in behalf of Claimant Solomon for November 1, 2, 3, 4, 5, 6 and 7 1989; plus 36 hours pay at time and one-half rate for Claimant J.L. Carter for dates of November 1, 2, 3, 4, 5, 6, 7, 15, 16, 17, 18 and 19, 1989."

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 employee 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.

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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: Linda Woods
Linda Woods - Arbitration Assistant

Dated at Chicago, Illinois, this 26th day of April 1994.