

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISIONAward No. 30173  
Docket No. MW-29677  
94-3-91-3-20

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

(CSX Transportation, Inc. (former  
(Seaboard Coast Line Railroad Company)

PARTIES TO DISPUTE: (

(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 M. A. Lang, ID# 165954 and E. S. Johnson, ID# 171022 performed overtime service for which they were not paid. [Carrier's file 12 (90-392), Organization's file COOKS-90-23].
2. As a consequence the Union demands that the Carrier submit to their unsupported demand to compensate Claimants Hodges, Solomon and Johnson 19 hours pay each at time and one-half rate for dates of February 7, 8, 9, 10, 11, 12 and 13, 1990 and 17 hours pay at time and one-half rate in behalf of Claimant Lang."

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.

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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.