



Award No. 14525

Docket No. MW-15234

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

(Supplemental)

David H. Brown, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

**THE DENVER AND RIO GRANDE WESTERN
RAILROAD COMPANY**

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

(1) The Carrier violated the Agreement when, on November 19 and 20, 1963, it assigned or otherwise permitted other than Bridge and Building Department employees to construct barricades at the Burnham Yards at Denver, Colorado. (Carrier's File MW-2-64; General Chairman's File D-5-61.)

(2) Each of the following named Bridge and Building Department employees be allowed eight (8) hours' pay at his respective straight time rate because of the violation referred to in Part (1) of this claim:

J. H. Robinson - Foreman
O. K. Crosby - Carpenter
C. F. Koch - Carpenter
M. F. Goss - Carpenter
A. T. Spicer - Carpenter
E. A. Elving - Carpenter
H. C. Brockman - Carpenter
Dominic Lombardi - Painter
F. O. Curtis - Steelman First Class
E. G. Jelsen - Steelman First Class
D. M. McLaughlin - Helper
A. R. Litzenburger - Helper
J. J. Aites - Helper
C. S. Barnard - Helper
J. P. Butler - Helper
B. L. Whitt - Helper

OPINION OF BOARD: The parties and agreement are the same as in Award 11831. The issues are so similar that we feel the decision in such award should control herein. Accordingly, the claim will be denied.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That Carrier did not violate the Agreement.

AWARD

Claim denied.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION**

**ATTEST: S. H. Schulty
Executive Secretary**

Dated at Chicago, Illinois, this 17th day of June 1966.