

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22052  
Docket Number CL-21768

Herbert L. Marx, Jr., Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and  
( Steamship Clerks, Freight Handlers,  
( Express and Station Employees  
(  
(Western Railroad Association

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood  
(GL-8219) that:

(a) The Western Railroad Association violated and continues to violate the current Clerks' Agreement when on or about June 9, 1975 they omitted a senior employee Henry Cozzi from a list of employees to work overtime.

(b) That Claimant Henry Cozzi be paid for all time lost account of being omitted from the overtime list. Which would amount to approximately 16 hours per week, at the rate of time and one-half for approximately 12 weeks.

OPINION OF BOARD: Except as to the Claimant involved, this dispute is the same as that in Award 22051. The Board, therefore, follows the same reasoning and reaches the same conclusion.

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 the Agreement was not violated.

Award Number 22052  
Docket Number CL-21768

Page 2

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: *A. W. Pauls*  
Executive Secretary

Dated at Chicago, Illinois, this 12th day of May 1978.

