

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22397
Docket Number CL-22250

Louis Yagoda, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and
(Steamship Clerks, Freight Handlers,
(Express and Station Employes
(
(Southeastern Demurrage and Storage Bureau

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood
(GL-8442) that:

"(a) The Bureau has violated the Rules Agreement, particularly Rule 34 when they did not allow the claimant to perform overtime work that normally would have been a part of claimant's regular assignment.

(b) Claimant T. D. Bruce should be paid one day's pay for December 12, 1975 at the rate of one and one-half times the regular basic straight time rate of the claimant."

OPINION OF BOARD: On December 12, 1975, C. R. Terrell was absent. His work was performed by employe J. M. Beasley, who was on duty at the same location.

The Claimant was observing his rest day on claim date. Terrell normally performs the Claimant's duties on rest days.

The Organization contends Rule 34(d) dictates the Claimant should have been called to perform the work normally performed by Terrell. However, the Board finds there is no support for the claim in Rule 34 and it 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 Employes involved in this dispute are respectively Carrier and Employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

Award Number 22397
Docket Number CL-22250

Page 2

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

That the Agreement was not violated.

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 27th day of April 1979.

