

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22675  
Docket Number CL-22510

James F. Searce, Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and  
( Steamship Clerks, Freight Handlers,  
( Express and Station Employees  
(  
(The Washington Terminal Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood  
(GL-8585) that:

(a) Carrier violated the Rules Agreement, effective July 1, 1972, particularly Article 8(a), and others, when it assigned and permitted junior employe Takeela Coates, Clerk, seniority date 8/11/75, to perform the duties on vacant position of Clerk, on an overtime basis from 4:00 P.M. to 12:00 Midnight, on Tuesday, May 10, 1977, and again on an overtime basis from 12:00 Noon to 4:00 P.M., on Thursday, May 12, 1977.

(b) Claimant Donald Liverette be allowed eight (8) hours at time and one-half rate of pay for Tuesday, May 10, 1977, and four (4) hours at time and one-half rate of pay for Thursday, May 12, 1977, that Carrier assigned and permitted Takeela Coates to perform the overtime duties. Claimant Liverette is the senior, qualified, available employe and should have been called and worked.

(c) Claim has been presented in accordance with Article 19, Item 3(c) and should be allowed.

OPINION OF BOARD: This case in all significant details is similar to the dispute resolved by our Award No. 22674

For the reasons fully developed in Award No. 22674 this claim is sustained.

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 violated.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

A. W. Paulos  
Executive Secretary

Dated at Chicago, Illinois, this 14th day of December 1979.