

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 24156  
Docket Number CL-24188

Herbert L. Marx, Jr., Referee

PARTIES TO DISPUTE: (Brotherhood of Railway, Airline and Steamship Clerks,  
( Freight Handlers, Express and Station Employees  
(  
(Maine Central Railroad Company (Portland Terminal Company)

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood  
(GL-9490) that:

1. Carrier violated the Agreement between the Parties, August 16, 1979, when it assigned overtime of four and one-half ( $4\frac{1}{2}$ ) hours at \$8.193 per hour to junior employee as Store Helper, because said position worked  $4\frac{1}{2}$  hours' overtime.

2. Carrier shall compensate Willis G. Childs, Store Helper, four and one-half ( $4\frac{1}{2}$ ) hours' pay \$8.193 per hour, August 16, 1979, account said duties of assisting as Store Helper to Woodland, Maine, were delegated to junior employee. Senior employee was not properly used for the overtime on this position.

OPINION OF BOARD: On August 16, 1979, Claimant was regularly assigned to and worked the position of Crane Operator at Waterville Stores Department, Waterville, Maine. On that date a second crane, which operated in the Stores Department and which was manned by junior Crane Operator L. E. Swett, became inoperative. Thereupon the Carrier utilized Swett as a helper on a Stores Department delivery truck. Swett, along with the Stores Department Truck Driver, worked  $4\frac{1}{2}$  hours overtime that date. The overtime work is the source of complaint in this dispute.

The Board has reviewed the entire record in this case and is unable to find any agreement violation.

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.

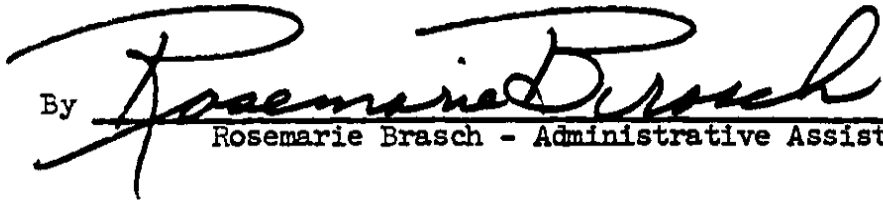
A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: Acting Executive Secretary  
National Railroad Adjustment Board

By



Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 15th day of February 1983.

