

The Third Division consisted of the regular members and in addition Referee Eckehard Muessig when award was rendered.

PARTIES TO DISPUTE: (Transportation Communications International Union
(The Atchison, Topeka and Santa Fe Railway Company

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood (GL-10268) that:

1. Carrier violated the provisions of the current Clerks' Agreement at Barstow, California, on November 14, 1986, when it diverted Claimant Speisser from his regular assignment of AAR Clerk Position No. 6009 to perform relief work and then failed and/or refused to properly compensate him, and

2. Claimant Speisser shall now be compensated eight (8) hours at the pro rata rate of AAR Clerk Position No. 6609 for November 14, 1986, in addition to any other compensation already received, as a result of such violation of Agreement rules."

FINDINGS:

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

The Claimant occupied Position No. 6011 with hours of duty 7:00 A.M. to 3:00 P.M. Sunday through Thursday, with Friday and Saturday rest days. The general issues are the same as in Third Division Award 28315 and we find here, as we found in that case, that the Claim must be denied.

A W A R D

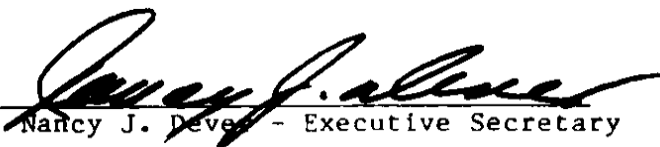
Claim denied.

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Award No. 28316
Docket No. CL-28432
90-3-88-3-208

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Deves - Executive Secretary

Dated at Chicago, Illinois, this 29th day of March 1990.