

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award No. 30176
Docket No. MW-29704
94-3-91-3-48

The Third Division consisted of the regular members and in addition Referee Thomas J. DiLauro when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way Employees
(
(CSX Transportation, Inc. (former
(Seaboard Coast Line Railroad Company)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

1. The Carrier violated the Agreement when it failed and refused to properly compensate Cooks O. C. Hodges, Nathaniel Solomon and Marvin A. Lang for overtime service they performed on November 29, 30, December 1, 2, 3, 4, 5, 6, 13, 14, 15, 16 and 17, 1989 [System File COOKS-90-8/12(90-322) SSY].
2. As a consequence of the violations in Part (1) above, Claimants O. C. Hodges, Nathaniel Solomon and Marvin A. Lang shall each be allowed thirty-eight (38) hours and fifty (50) minutes pay at their time and one-half overtime rates."

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 employe 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.

Except as to dates, this Claim is identical to that reviewed in Third Division Award 30009, and the Board reaches the same conclusion.

Form 1
Page 2

Award No. 30176
Docket No. MW-29704
94-3-91-3-48

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: Linda Woods
Linda Woods - Arbitration Assistant

Dated at Chicago, Illinois, this 26th day of April 1994.