Form 1

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 Employes
                    (
                    (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 E. S. Johnson for overtime service they performed on February 7, 8, 9, 10, 11, 12 and 13, 1990 [System File COOKS-90-23/12(90-392) SSY].

2.   The Agreement was further violated when the Carrier failed and refused to properly compensate Cook Marvin A. Lang for overtime service he performed on February 7, 8, 9, 10, 11, 12 and 13, 1990.

3.   As a consequence of the violations in Parts (1) and (2) above:

     (a)   Claimants O. C. Hodges, Nathaniel Solomon and E. S. Johnson shall each be allowed nineteen (19) hours pay at their time and one-half overtime rates.

     (b)   Claimant Marvin A. Lang shall be allowed seventeen (17) hours pay at his time and one-half overtime rate."

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.

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.