

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISIONAward No. 31183
Docket No. CL-31487
95-3-93-3-492

The Third Division consisted of the regular members and in addition Referee Elizabeth C. Wesman when award was rendered.

(Transportation Communications
(International Union
PARTIES TO DISPUTE: (
(CSX/Sea-Land Terminals, Inc.

STATEMENT OF CLAIM: "Claim of the System Committee of the Organization (GL-10979) that:

1. The Agreement was violated on June 20, 1992, when employes of CMX trucking or CSX Services performed the function of checking trailers CSXZ 610705, REAZ 633796, USAZ 255188, CSXZ 611242, CSXZ 610784 and CSXZ 610697 through the gate at the intermodal facility.
2. As a result of this violation, Intermodal shall compensate Clerk J. C. Collins, Senior Intermodal overtime Board Clerk, for eight (8) hours' pay at time and one-half 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 employee or employees involved in this dispute are respectively carrier and employee 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.

This dispute is essentially identical to the matter considered by the Board in Third Division Award 31104. This Board finds no reason to disturb the findings in that Award. Accordingly, the instant claim is also denied.

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AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 26th day of September 1995.