

The Second Division consisted of the regular members and in addition Referee Carlton R. Sickles when award was rendered.

Parties to Dispute: (International Brotherhood of Electrical Workers
(
(Burlington Northern Inc.

Dispute: Claim of Employees:

1. That in violation of the current agreement and years of past practice, System Wiremen R. E. Dickson, J. M. Berg and J. W. Fortney headquartered in Portland, Oregon were arbitrarily denied payment of actual necessary meal expenses incurred in performance of work out of headquarters at the direction of the Burlington Northern Inc.
2. That the Burlington Northern Inc., was procedurally defective by not denying the initial claim within the time limits provided for in Rule 29 paragraph (a) of the controlling agreement.
3. That accordingly, the Burlington Northern Inc., be ordered to reimburse System Wiremen R. E. Dickson, J.M. Berg and J. W. Fortney, for all withheld actual necessary expenses incurred in performance of work in the month of April, 1979, plus 10% interest.

The 10% interest claimed account the expenses incurred were out of pocket expenses and therefore, justifiable in view of bank interest charges at then current rates.

Amount of claim and dates are as follows:

R. E. Dickson - April 9 - $\$4.15 + 10\% = \4.57
R. E. Dickson - April 10- $\$4.65 + 10\% = \5.12
R. E. Dickson - April 11- $\$4.10 + 10\% = \4.51
R. E. Dickson - April 16- $\$4.15 + 10\% = \4.57
R. E. Dickson - April 17- $\$4.15 + 10\% = \4.57
J. M. Berg - April 10- $\$4.20 + 10\% = \4.62
J. M. Berg - April 16- $\$4.50 + 10\% = \4.95
J. W. Fortney - April 9 - $\$4.85 + 10\% = \5.34
J. W. Fortney - April 10- $\$4.55 + 10\% = \4.90

Statement:

The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to organization in ex parte form, hearing thereon was waived, and the Division is now in receipt of a request from the employes that the case be withdrawn.

Form 1
Page 2

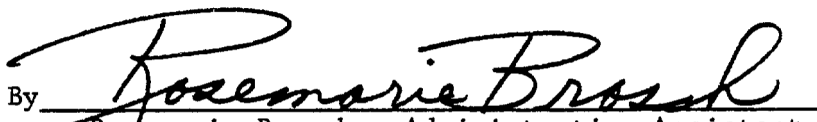
Award No. 9100
Docket No. 8873
2-BN-EW-'82

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Acting Executive Secretary
National Railroad Adjustment Board

By 
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 2nd day of June, 1982.