

The Second Division consisted of the regular members and in addition Referee Rodney E. Dennis 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 contrary to many years of past practice, Electrician Wiremen R. J. Schreiner, R. P. Olson and W. A. East, headquartered at Dilworth, Minnesota were arbitrarily denied payment of actual necessary meal expenses incurred in the service of the Burlington Northern Inc., at Fargo, North Dakota and Moorhead, Minnesota, both of which are cities separate (sic) and distinct and away from Claimants assigned headquarters, which is Dilworth, Minnesota.
2. That accordingly, the Burlington Northern Inc., be ordered to reimburse Electricians Schreiner, Olson and East, for all meal expenses which were withheld while performing service for the Carrier away from their assigned bulletined headquarters, during the months of April, May and June, 1980. Total amount of claim is for R. J. Schreiner \$61.55, for R. P. Olson \$68.05 and for W. A. East \$67.95.

Findings:

The Second 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 employees 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.

Claimants R. J. Schreiner, R. P. Olson, and W. A. East are Electrician Wiremen headquartered at Dilworth, Minnesota. On certain dates, they and their Foreman, F. S. Stricker, were assigned to work in Fargo. On those days that the crew worked there, Carrier would not allow their expenses for lunch. Carrier argued that Fargo is part of Dilworth Terminal and that Claimants were therefore not authorized lunch expenses.

The Foreman processed his claim to the Fourth Division of the NRAB. The Foreman's case has been heard and decided. In Fourth Division Award 3939, Referee LaRocco denied the claim. Since that claim was based on exactly the same facts and Agreement language on which the instant claim is based, we shall also deny this claim.

Form 1
Page 2

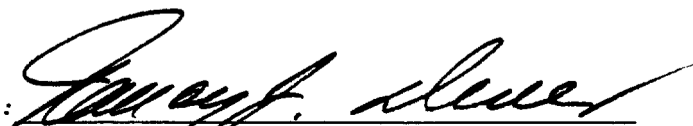
Award No. 10371
Docket No. 9285
2-BN-EW-'85

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 17th day of April 1985.