

Award No. 5202
Docket No. 4893
2-GN-EW-'67

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Harry Abrahams when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 101, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Electrical Workers)**
GREAT NORTHERN RAILWAY COMPANY

DISPUTE: CLAIM OF EMPLOYEES

1. That the current agreement was violated when the Carrier failed to reimburse Lineman Keith C. Kirkhorn for actual expenses incurred while performing service for the Carrier during the month of December, 1963.

2. That accordingly the Carrier be ordered to compensate Lineman Keith C. Kirkhorn in the amount of \$198.35.

EMPLOYEES' STATEMENT OF FACTS: The Great Northern Railway Company, hereinafter referred to as the Carrier, employs Lineman Keith C. Kirkhorn, hereinafter referred to as the Claimant, as Communication Crew Lineman with district limits from Bainville, Montana to Seattle, Washington plus all branch lines in that area.

During the month of December, 1963, the Carrier assigned the Claimant to perform work in line with his classification at points which included Columbia Falls, Montana.

Claimant incurred expenses in the amount of \$198.35 for meals and lodging while working at or near Columbia Falls, Montana, and this amount has not been reimbursed to him.

This dispute has been handled with all Carrier officers designated to handle such matters all of whom have declined to adjust it.

The Agreement dated July 1, 1951 as amended is controlling.

POSITION OF EMPLOYEES: Under the terms of the agreement between the Great Northern Railway Company and System Federation No. 101, Rule No. 10 reading in pertinent part:

All of the evidence and data contained herein has been presented to the duly authorized representative of the employee.

(Exhibits not reproduced.)

FINDINGS: The Second 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.

Claimant, lineman Keith C. Kirkhorn, while in the Columbia Falls area was working where his home was located. He ate his morning and evening meals at his home with his wife and children and slept in his own bed.

At the end of December, 1963 he gave the Carrier a statement for meals and lodging expenses which he allegedly incurred at Columbia Falls for \$198.35.

The house maintained by the claimant was a trailer house. The Claimant did not actually and necessarily incur a total expense of \$198.35 for meals and lodging at Columbia Falls during the month of December, 1963.

Claimant did not actually or necessarily expend said money for food or lodging during the time involved.

In accordance with the above the claim should be denied.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION

ATTEST: Charles C. McCarthy
Executive Secretary

Dated at Chicago, Illinois, this 22nd day of June, 1967.