

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 26421
Docket Number MW-25867

Rodney E. Dennis, Referee

PARTIES TO DISPUTE: ((Brotherhood of Maintenance of Way Employees
(Southern Pacific Transportation Company
((Eastern Lines)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood
that:

(1) The Carrier violated the Agreement when it refused to reimburse Machine Operator G. L. Burks for the expenses he incurred during February and March, 1983 as itemized in his Personal Expense Account form dated March 15, 1983 (System File MW-83-72).

(2) Machine Operator G. L. Burks shall now be paid \$40.42 as reimbursement for the personal expenses he incurred during February and March 1983."

OPINION OF BOARD: Claimant was called to work on a relief position on the backhoe at Kirby Yards. He drove his own car to work each day and submitted a personal expense account. He also included the cost of a commercial driver's license as part of his expenses. The total request was for \$40.42. Carrier denied the request.

This Board has reviewed the record of this case and has concluded that the Agreement supports payment of one-half of the claimed amount, to wit, \$20.21.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and


That the Agreement was violated.

A W A R D

Claim sustained in accordance with the Opinion.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois this 24th day of August 1987.