

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20075

Docket Number MW-20103

Irwin M. Lieberman, Referee

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way Employees
(St. Louis-San Francisco Railway Company

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

(1) The Carrier violated the Agreement when it refused to reimburse D. C. Hall for the actual expenses he incurred for meals and lodging during the first pay period of November, 1971 (System File A-9129 D.C. Hall/D-6768).

(2) The Carrier now be required to pay D. C. Hall the amount of \$46.05 which represents the difference between the actual meal and lodging expenses he incurred and the amount of reimbursement remitted to him by the Carrier.

OPINION OF BOARD: Outfit cars furnished System Mechanized Gang No. 943, Unit "C", of which Claimant here was a member and assigned to, were removed and assigned to another gang, thereby requiring Claimant to obtain meals and lodging elsewhere. The claim is for reimbursement of the difference between the amount paid Claimant by the Carrier (\$7.00 per day) as provided for in the Award of Arbitration Board 298, and the amount of the actual expenses incurred during the first pay period of November, 1971.

A review of the claim before us indicates that similar claims on the identical issue involving the same parties, similar factual circumstances and involving the same rules were presented to the Board in Awards 19239 (Edgett) and 19753 (Roadley).

We concur in the rationale expressed in Awards 19239 and 19753 and find those awards to be controlling in this case. Therefore, we will deny the claim.

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

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

That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: *A W Paulson*
Executive Secretary

Dated at Chicago, Illinois, this 14th day of December 1973.