

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20312

Docket Number MW-20342

Irwin M. Lieberman, Referee

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

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

(1) The Carrier violated the Agreement when it failed and refused to allow the claimants* (identified below) travel time pay when their work location was moved from Carrollton, Texas to Sulligent, Alabama during the last half of December, 1971 (System File D-6864/A-9129).

(2) Each of the claimants* be allowed 14.4 hours of travel time pay.

*Claimants are:

F. MacCary, Sr.	(01858)	F. B. Smith	(06021)
C. Springer	(70968)	E. C. Buckingham	(27866)
E. Tucker	(27463)	J. R. Smith	(07105)
B. T. Vaughn	(02764)	E. M. Brown	(88112)
W. D. Patrick		(08493)	

OPINION OF BOARD: Claimants were members of System Steel Gang No. 930. On December 23, 1971, after the close of the regular work period, Carrier moved the Gang from Carrollton, Texas to Sulligent, Alabama. Two of the Claimants were on vacation on December 23rd, and the other Claimants were absent from work on that day for other reasons. Carrier paid all members of the Gang except Claimants travel time in accordance with Section I-C-1 of the Memorandum of Agreement dated May 7, 1969; Claimants were refused travel time because two were on vacation and the others had not worked on December 23, 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 18965 and 18966 (Dugan).

We concur in the rationale expressed in Awards 18965 and 18966 and find those Awards to be controlling in this case. Therefore, we will sustain the claim.

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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.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 28th day of June 1974.