

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISIONAward No. 29514
Docket No. MW-29197
93-3-90-3-64

The Third Division consisted of the regular members and in addition Referee John C. Fletcher when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Maintenance
(of Way Employes
(Union Pacific Railroad Company (former
(Missouri Pacific Railroad Company)

STATEMENT OF CLAIM:

"Claim of the System Committee of the Brotherhood that:

(1) The Agreement was violated when the Carrier failed to properly compensate Trackman K. D. Eichelberger for the overtime service he performed on December 7, 1988 (Carrier's File 890023 MPR).

(2) As a consequence of the aforesaid violation, Trackman K. D. Eichelberger shall be allowed pay for two (2) hours and forty (40) minutes at the trackman's time and one-half rate."

FINDINGS:

The Third 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 employes 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 used another employee's truck on December 7, 1988. When he was finished with the truck he took the keys to the vehicle home. About 45 minutes after reaching his home he was notified to return with the keys because the employee assigned the truck needed it. He is claiming a call for returning the keys to the employee. In the circumstances present, the Board finds the Claim to be without merit. It will be denied.

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A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 3rd day of February 1993.