

AWARD NO. 255  
Case No. 284

PUBLIC LAW BOARD 1582

PARTIES) THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY  
TO )  
DISPUTE) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

STATEMENT OF CLAIM: Claim in behalf of former Trackman R. E. Strain Plains Division, for all wage loss commencing April 5, 1983 through April 11, 1983 when Carrier called junior Trackman R. Perez to work effective April 5, 1983.

FINDINGS: This Public Law Board No. 1582 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.

In this dispute the Union contends the claimant should have been called to work on April 5 through April 11, 1983 when the Carrier called a junior trackman to work effective April 5, 1983.


The Board has examined the evidence of record and finds that the claimant was called on April 1, April 4 and April 5, 1983 to report for work on the Snyder Section, but there was no answer to the telephone. When no one answered the telephone, the Carrier sent a certified letter to the claimant's home address notifying him to report to work on the Snyder Section immediately. The claimant received the certified letter on April 9 and reported to work on April 11.

After reviewing the evidence the Board finds there is no violation of the agreement.

AWARD: Claim denied.

  
Preston J. Moore, Chairman

  
Organization Member

  
Carrier Member

Dated January 5, 1984  
at Chicago, Illinois