

PUBLIC LAW BOARD NO. 1760

Award No. 77

Case No. 77

Docket No. MW-FTW-85-42

Parties Brotherhood of Maintenance of Way Employees
to and
Dispute Norfolk and Western Railway Company
(Former Wabash)

Statement

of Claim: Claim on behalf of Chris Cagnet, Michael Fryman, Kenneth Evans, Shawn Carroll, Dennis Hughes, Edward C. Bedford, Emanuel Turner, Steve McCulloch, Doug Barker, Steve Jannings, R. A. Helsel, John Williams, Steve Haggenjos and Joe Zalecki for 24 hours each at the applicable straight time rate on November 11, 12, and 19, 1985.

Findings: The Board has jurisdiction of this case.


These claims are also variations of the claims in our Awards 75 and 76 the findings of which by reference are incorporated herein.


The instant Claimants are also the Machine Operators on Tie Gang T-8, working out of camp cars at various points on the Ft. Wayne Division on claim dates. It rained on November 11, 12 and 19, 1985. On each date a large number of the gang members, in particular the Laborers, refused to work in the rain. Their supervisor, Assistant Manager System Gangs, T. King, advised the entire gang members who reported to work at the camp cars, that in the circumstances he had to lay in the entire gang.

Claimants assert that they wanted to work. Carrier said the entire gang was laid in as you could not work a Tie Gang without Laborers. Here, for the reasons assigned in Awards 75 and 76, these claims will be likewise denied.

Award: Claims denied.


Sol Hammons, Jr., Employee Member


J. Abbate, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member

May 24, 1991
Issued June 9, 1988.