

Public Law Board No. 2203

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employes
and
Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

1. Carrier violated the Rules Agreement effective April 15, 1944, as amended, when from 7:30 a.m. to 3 p.m. each day, April 5, 6, 7, 8, 11, 12, 13, 14 and 15, 1977. Area Foreman Clarence Nixon performed a Trackman's duties of gauging and replacing ties on Tracks 22, 26, 54, 56 and 14, Oak Island, New Jersey.
2. As the result of such violations, claimant Francisco Santos be compensated one day's pay at the Trackman rate for each day the violation occurred.


FINDINGS:

Substantially the same issue, contentions and evidence were before us when we issued Award No. 24.


What we had to say in that Award is equally applicable here.

AWARD: Claim denied.

Adopted at Philadelphia, Pa., August 14, 1979.


Harold M. Weston, Chairman


Carrier Member


Employee Member