

PUBLIC LAW BOARD NO. 2206

AWARD NO. 29

CASE NO. 20

PARTIES TO THE DISPUTE:

Brotherhood of Maintenance of Way Employees

and

Burlington Northern, Inc.

STATEMENT OF CLAIM:

"Claim of the System Committee of the Brotherhood that:

- (1) The Carrier violated the effective agreements and particularly Appendix A, 7(a) and 8 when failing to properly compensate L. R. Nustad for vacation earned under the Vacation Agreement recorded as Appendix A in the May 1, 1971, Schedule Agreement (System Files S-P-159C)
- (2) That L. R. Nustad be paid 66.7 hours pay at \$9.90 per hour which is a total of \$660.33 for violation referred to in part one (1) of this claim."

OPINION OF THE BOARD:

Except for the identity and location of Claimant, the contract provisions and issues involved in this case are in all material aspects the same as those addressed in Award No. 28. For reasons developed fully in Award No. 28 the present claim likewise is denied.

FINDINGS:

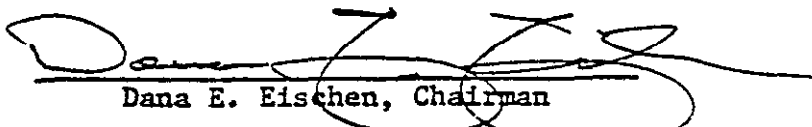
Public Law Board No. 2206, upon the whole record and all of the evidence, finds and holds as follows:


1. that the Carrier and Employee involved in this dispute are, respectively, Carrier and Employee within the meaning of the Railway Labor Act;

2. that the Board has jurisdiction over the dispute involved herein;
and
3. that the Agreement was not violated.

AWARD

Claim denied.


Dana E. Eischen, Chairman


L. K. Hall, Carrier Member


F. H. Funk, Employee Member

Date: July 15, 1980