

Award No. 28
Case No. 63

Public Law Board No. 2778

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Baltimore and Ohio Railway Company

STATEMENT
OF
CLAIM:

1. Carrier violated the agreement, particularly Rule 27, when it called on claimants to start at a time other than their regular starting time without compensation on January 22 and 29, 1978 and on February 5, 7 and 13, 1978.
2. Claimants listed below shall be compensated for 2 hours 45 minutes on the above dates except February 7:

Brooks Bingamon - January 23 and 30, 1978
James E. Faw, R. Hunt Sr., J. Reese, G. J. Linn and K. V. Osborne.
3. The above claimants and James Lemley shall be paid one hour at time and one-half when Supervisor Testa called them at 5:30 a.m. February 7, 1978.

FINDINGS:

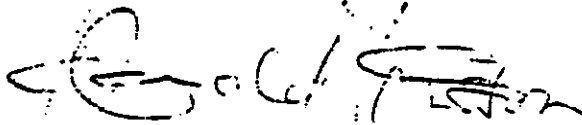
Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this Board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

It is this Board's conclusion that claimants were properly compensated for the service in question.

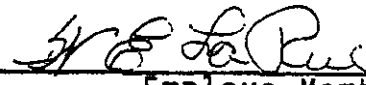
~~This award is not to constitute a precedent.~~

AWARD: Claim denied.

Adopted at Baltimore, Md., *March 1,* 1984.



Harold M. Weston, Chairman


Carrier Member

Employee Member