

Award No. 29
Docket No. 46

PUBLIC LAW BOARD NO. 2773

PARTIES) BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
)
TO) and
)
DISPUTE) THE BALTIMORE AND OHIO RAILROAD COMPANY

STATEMENT OF CLAIM:

" . . . claim of Carlton E. Duvall for overtime on various dates between December 11 and December 25, 1978 account McLean Contractors working on Zepp's Bridge in Baltimore, Md.

FINDINGS:

On December 9, 1978 Zepp's Bridge, Baltimore, Maryland was severely damaged by a derailment. Due to the magnitude of the repair project, the work was contracted to an outside concern.

Notwithstanding the above, the Petitioner submits that Claimant Duvall should have been called for available overtime work on the repair project.

Without prejudice to the respective positions of either the Carrier or the Petitioner, in light of the particular facts and circumstances of this dispute this Board will sustain the claim but only to the extent of twelve (12) hours' pay at the straight time rate.

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AWARD:

Claim disposed of as per findings.

ADOPTED AT BALTIMORE, Maryland, 3 / 1 / 84.


Harold M. Weston, Chairman


Carrier Member


Employee Member