

Award No. 5
Case No. 12

Public Law Board No. 2778

PARTIES
TO
DISPUTE:

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

STATEMENT
OF
CLAIM:

Claim on behalf of Leonard P. Henry and Marc W. Sheafer for time lost account two hours pay being deducted from each employe on September 26, 1978 due to claimants leaving their assignments to report that Mr. Sheafer's personal vehicle was broken into on Company property.

FINDINGS:

Claimants left their assignments to report a break-in and theft in claimant's personal vehicle which was parked in the assigned area on Company property. Claimant Sheafer kept in the car some of the tools he was required by Rule 63 to furnish. The two men were working at the time of the break-in and reported the incident on the following afternoon to the B&O Police.

Because claimants performed no work during the two hours it took to report the incident, the time was deducted from their pay.

The claim lacks merit and will be denied. The result might have been different if the report had been made on the day the incident occurred. In view of the delay, claimants could have waited until the end of their shift to make their report.

AWARD: Claim denied.

Adopted at Baltimore, Maryland, February 2, 1983.



Harold M. Weston, Chairman


Carrier Member
Employee Member