

PUBLIC LAW BOARD NO. 3460

Award No. 14
Case No. 14

PARTIES
TO
DISPUTE

Burlington Northern Railroad Company
and
Brotherhood of Maintenance of Way Employees

STATEMENT
OF CLAIM

"Claim of the System Committee of the Brotherhood that:

- (1) That Carrier violated the effective agreement when declining to reimburse Sectionman David A. Rangel expenses incurred August 21 (\$6.75), August 22 (\$7.25), August 26 (\$7.00) and September 4 (\$7.00) claimed on his 1980 expense account.
- (2) Sectionman David A. Rangel shall now be allowed the expense of \$21.00 for August and \$7.00 for September, 1980, denied by his Roadmaster."

FINDINGS

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

The circumstances involved in this dispute are virtually identical to those described in Awards 12 and 13 of this Board. In this case claimant was involved in working with the rail detector on the dates indicated in the claim and, in each instance, was away from his assigned headquarters at the time of his second meal period. In each instance he was denied reimbursement for the cost of the meal although permitted time for the meal.

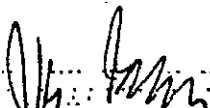
Both parties advanced identical arguments to those in the earlier two awards on the same subject and the Board's view, again, must be that the claim is identical to the earlier claims and, hence, must be sustained.

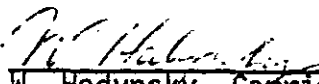
AWARD

Claim sustained.

ORDER

Carrier will comply with the award herein within thirty (30) days from the date hereof.


I. M. Lieberman, Neutral-Chairman


W. Hodynsky, Carrier Member
Assistant


F. H. Funk, Employee Member

March 29, 1985