

PUBLIC LAW BOARD NO. 3460

Award No. 15

Case No. 15

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 Rodney Theisen a \$5.50 expense incurred September 4, 1980, claimed on a September 1980 expense account.
- (2) Sectionman Rodney Theisen now be allowed the \$5.50 expense for September 4, 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 claimant herein was working on September 4, 1980, in the gang with the Foreman involved in Award No. 12 of this Board. The circumstances are identical to those described in Award No. 12 and in this case, as well, claimant was denied reimbursement for his meal expense while being permitted thirty minutes for a meal period that night. Since this case is identical with the circumstances described in Award No. 12, for all the reasons indicated and taking into consideration the arguments advanced by both parties in that dispute, the claim must be sustained.

AWARD

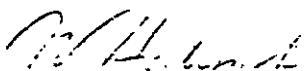
Claim sustained.

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
Secretary



F. H. Funk, Employee Member

March 29, 1985