

**NATIONAL MEDIATION BOARD
PUBLIC LAW BOARD NO. 6171**

**JOHN C. FLETCHER, CHAIRMAN & NEUTRAL MEMBER
GENE L. SHIRE, CARRIER MEMBER
RICHARD K. RADEK, EMPLOYEE MEMBER**

**BROTHERHOOD OF LOCOMOTIVE ENGINEERS
BNSF SANTA FE, GENERAL COMMITTEE**

and

**THE BURLINGTON NORTHERN AND SANTA FE
RAILWAY COMPANY**

**Award No. 12
Case No. 12**

*Date of Hearing - May 26, 1999
Date of Award - August 31, 1999*

Statement of Claim:

Claim No. WQ 2529, dated March 2, 1997, on behalf of Coast Lines Engineer I. W. Bonds, et. al., for one hour's pay for trading trains.

FINDINGS:

Public Law Board No. 6171, upon the whole record and all of the evidence, finds and holds that the Employee(s) and the Carrier are employee and carrier within the meaning of the Railway Labor Act, as amended; and, that the Board has jurisdiction over the dispute(s) herein; and, that the parties to the dispute(s) were given due notice of the hearing thereon and did participate therein.

Carrier's opening statement to this Board indicated:

This case involves claim for one hour's pay when engineers trade trains, going in the same direction, while performing interdivisional service. This case is substantially identical to Case 6 before the Board, except that Case 6 requested a basic day penalty.

In our Award No. 6 we concluded that one hour's pay would be appropriate when engineers were required to trade trains in route. Inasmuch as this case is "substantially identical to Case 6," this Board will make the same award here - one hour's pay for each instance of trading trains.

The claim has merit. It will be sustained.

A W A R D

Claim sustained.

O R D E R

The Board concludes that an award favorable to Claimant shall be made. Carrier is directed to comply with the Findings of the Board and make full payment due within 60 days of the date indicated below.



John C. Fletcher, Chairman & Neutral Member



Gene L. Shire, Carrier Member

Richard K. Radek, Employee Member

Dated at Mt. Prospect, Illinois., August 31, 1999