

PUBLIC LAW BOARD NO. 164

Parties) United Transportation Union (T)
to)
Dispute) Union Pacific Railroad Company-Eastern District

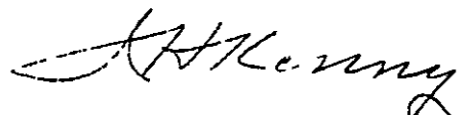
Statement of Claim: Claims of Brakemen R. P. Hampton and K. G. Leishman, Ogden, for various dates in November and December, 1965, account not used for flagging purposes when main line track was fouled by private contractor's equipment.

Findings: The record in this case in respect to the circumstances existing on the valid claim dates establishes that, although the maintenance of way employees did perform flagging, same was not the core portion of their service but was only incidental to their primary section hand work. Given this finding of fact, an application of the basic principle set forth in this Board Award No. 1 commands a denial award here.

AWARD: Claim denied.

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Carroll R. Daugherty
Chairman and Neutral Member


J. H. Kenny, Carrier Member


C. F. Christiansen, Employee Member

Omaha, Nebraska
March 3, 1969

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