

PUBLIC LAW BOARD NO. 164

Parties) Brotherhood of Railroad Trainmen
to)
Dispute) Union Pacific Railroad Company-Eastern District

Statement of Claim: Claim for 150 miles at work train rate of pay, plus 50 miles deadhead, for Brakemen L. M. Bond and R. G. Wage and others, February 1, 1966 and other dates, account not used for flagging purposes when main track was fouled by private contractors equipment.

Findings:

Except as noted below, this case is very similar to Case No. 4 in respect to the facts on proper claim dates, the core work performed, and the amounts due to claimants for respective valid claims.

This case, however, has an additional element: It also involves claims for deadhead miles when deadheading was not actually performed. The Board finds that claims for deadheading in such case are not valid under the Parties' Agreement or under practices on the property. These deadhead claims will therefore be denied.

Given all the above, Carrier is directed to pay to each proper claimant within 45 days 100 miles for his particular valid claim or claims for the following dates:

February 1, 2, 3, 4, 7, 8, 9, 10, 11, 15, 16, 17, 18,
21, 22, 23, 24, 25 and 28, 1966.

AWARD: Claim sustained per above Findings.

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Carroll R. Daugherty
Carroll R. Daugherty,
Chairman and Neutral Member

J. H. Kenny
J. H. Kenny, Carrier Member

J. H. Shepherd
J. H. Shepherd, Employee Member

Omaha, Nebraska
August 20, 1966

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