

PUBLIC LAW BOARD NO. 1760

Award No. 5

Case No. 5

File No. MW-TOL-75-4

Parties Brotherhood of Maintenance of Way Employees

to and

Dispute Norfolk and Western Railway Company  
(Former Wabash Railroad)

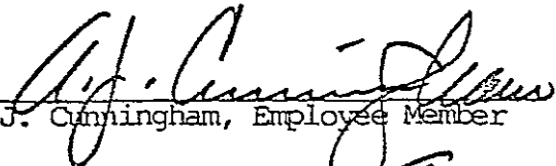
Statement of Claim: 1. Carrier violated the effective Agreement dated February 10, 1971, between railroads represented by the National Railway Labor Conference and the Eastern, Western and Southeastern Carrier's Conference Committees and the Employees of such railroads represented by the Brotherhood of Maintenance of Way Employees Hotel and Restaurant Employees and Bartenders International Union "when it failed to timely notify the Employees of Tie-Gang T-12, that they were not to report to work on the morning of April 3, 1975, due to snow conditions."

... 2: On this account, the employees of Tie-Gang T-12 listed and identified on appendix, (Employees' Exhibit "A") attached hereto; shall now be compensated for four (4) hours each at their straight time rate of pay.

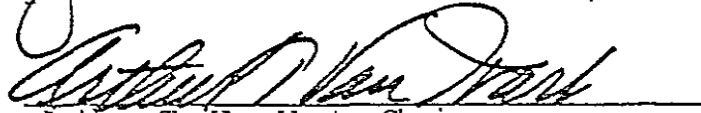
Findings: The Board finds, after hearing upon the whole record and all evidence, that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that this Board is duly constituted by Agreement dated February 2, 1976, that it has jurisdiction of the parties and the subject matter, and that the parties were given due notice of the hearings held.

This claim, having been disposed of previous to the Board's hearing, request was mutually made for its dismissal from the Board. Request granted.

Award: Claim dismissed.

  
A. J. Cunningham, Employee Member

  
G. C. Edwards, Carrier Member

  
Arthur T. Van Wart, Chairman  
and Neutral Member