

PUBLIC LAW BOARD NO. 2444

Award No. 74

Case No. 88

Docket No. MW-81-151

Parties Brotherhood of Maintenance of Way Employes

to and

Dispute Southern Pacific Transportation Company
(Texas and Louisiana Lines)

Statement

of Claim: Claim of BMWE and Machine Operators R. F. Berckenhoff, Troy Gillespie, M. Carnley, J. A. Minatrea and H. F. Stephens for an arbitrary and penalty payment of 208 hours each at their respective straight time rate of pay and 41 hours each at their respective time and one-half rate of pay, alleging contractor Pat Baker performing Machine Operators' duties.

Findings: The Board, after hearing upon the whole record and all evidence, finds 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 July 19, 1979, that it has jurisdiction of the parties and the subject matter, and that the parties were given due notice of the hearing held.

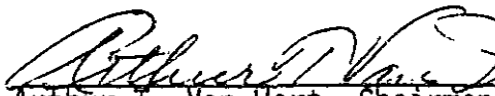
The parties having previously disposed of this case requested that it be dismissed from before the Board.

Request granted.

Award: Claim dismissed.


M. A. Christie, Employee Member


C. B. Goyne, Carrier Member


Arthur T. Van Wart, Chairman
and Neutral Member