

PUBLIC LAW BOARD NO. 2452

PARTIES Brotherhood of Maintenance of Way Employes  
TO  
DISPUTE: and  
Western Maryland Railway Co.

STATEMENT  
OF CLAIM: Claim on behalf of Mechanic C. E. Shahan, headquartered at Maryland Junction, West Virginia, for overtime hours worked by "junior" Mechanic S. H. Weslow on machinery assigned to Surfacing Unit #95 and Tie Unit #91 headquartered at Bayard, West Virginia and Elkins, West Virginia during the period October 24 through November 25, 1977.

FINDINGS: By reason of the Agreement dated June 14, 1979, and upon the whole record and all the evidence, the Board finds that the parties herein are employee and carrier within the meaning of the Railway Labor Act, as amended, and that it has jurisdiction.

Except for the claim dates, the facts here are identical with those in Docket 3 which are fully discussed in our Award No. 3.


The conclusions reached in Award No. 3 are applicable to the instant claim and are hereby affirmed. For the reasons stated in said Award No. 3 the Board finds that the instant claim has no merit.

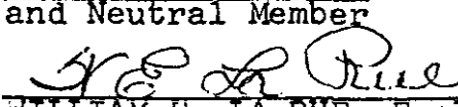
AWARD

Claim denied.

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DAVID DOLNICK, Chairman and Neutral Member

  
N. C. COMISKEY, Carrier Member

  
WILLIAM E. LA RUE, Employee Member

DATED: April 16, 1980