

PUBLIC LAW BOARD NO. 249

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

vs.

NORFOLK AND WESTERN RAILWAY CO.

STATEMENT OF CLAIM:

1. On September 23, 25, 26, 27, 28, 1968, the carrier violated the effective Agreement when it assigned a power tamping jack operator from the Lake Erie & Western District to operate a power tamping jack on the Fostoria District of the Ft. Wayne-Chicago Division.

2. Claimant power tamping jack operator Ray Rinebolt now be made whole as follows:

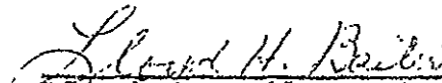
September 23, 1968,	8 hours at pro rata rate of pay
September 24, 1968,	8 hours at pro rata rate of pay
September 25, 1968,	8 " " " " " " "
September 26, 1968,	8 " " " " " " " and 2 hours punitive rate of pay
September 27, 1968,	8 hours at pro rata rate of pay and 2 hours punitive rate of pay
September 28, 1968,	9 hours at punitive rate of pay.


OPINION OF BOARD:

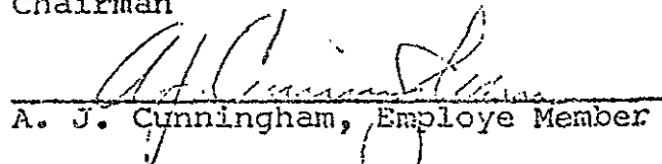
The decision in this case is governed by our Award No. 17. Part 1 of the claim is therefore sustained but no monetary award is due.

AWARD:

Claim sustained to extent of Opinion of Board.

  
Lloyd H. Bailer, Chairman

  
E. G. Psolla, Carrier Member

  
A. J. Cunningham, Employee Member

Dated: December 31, 1971