

Award No. ⁶
Case No. 15

Public Law Board No. 2778

PARTIES
TO
DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Baltimore and Ohio Railroad Company

STATEMENT
OF
CLAIM:

Claim on behalf of Kenneth J. Bush for overtime
worked by Foreman Ed Hamrick from on or about
August 7 to September 1979.

FINDINGS:

This claim stems from the use of Foreman Hamrick
to transport fuel for rail gang machines. Claimant
was available for that work and, like Mr. Hamrick,
was assigned to Force No. 1234 at Gassaway, West
Virginia.

We have been referred to no rule or practice that
prevents a foreman from hauling fuel to trackmen. In this instance,
the only vehicle available was a hi-rail 1/2 ton pickup truck and
Foreman Hamrick, but not claimant, had the necessary permit to oper-
ate it.

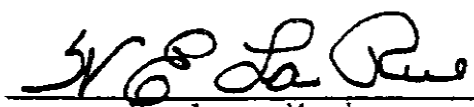
AWARD:

Claim denied.

Adopted at Baltimore, Maryland, February 2, 1983.


Harold M. Weston, Chairman


Carrier Member


Employee Member