

PUBLIC LAW BOARD NO. 3460

Award No. 31
Case No. 31

PARTIES
TO
DISPUTE

Brotherhood of Maintenance of Way Employees
and
Burlington Northern Railway Company

STATEMENT
OF CLAIM

- "(1) That Carrier violated the effective agreement when declining to reimburse expenses incurred in April 1980 by B&B employees M. W. Middleton, F. J. Warner, A. A. Mines, I. G. Richardson and O. L. Arp as claimed on their April 1980 expense accounts.
- (2) Claimants now be allowed expenses in the amount of \$73.70 M. M. Middleton, \$21.75 F. J. Warner, \$42.80 A. A. Mines, \$24.75 I. G. Richardson and \$82.65 O. L. Arp for expenses incurred in April of 1980."

FINDINGS

Upon the whole record, after hearing, the Board finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended, and that this Board is duly constituted under Public Law 89-456 and has jurisdiction of the parties and the subject matter.

Claimants herein were assigned at Portland, Oregon, with working hours from 7:30 A.M. to 4:00 P.M., Monday through Friday. During April of 1980 each of the claimants were required to work overtime on varying dates for a variety of reasons. Each of the claimants was entitled to and received a second meal period paid for at the overtime rate of pay in the course of these assignments. However, expenses for the meals were not paid by Carrier, triggering the dispute herein.

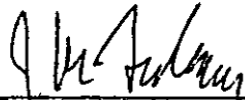
These claims are identical in circumstance to those dealt with in Awards 12 through 15 of this Board. The issue is the same. Taking into consideration the arguments raised by both parties in the earlier disputes before this Board, and in view of the conclusion reached by this Board in Awards 12 through 15, particularly Award No. 12, the claims herein must be sustained.

AWARD

Claims sustained.

ORDER

Carrier will comply with the awards herein within thirty (30) days from the date hereof.



I. M. Lieberman, Neutral-Chairman



W. Hodynsky, Carrier Member



F. H. Funk, Employee Member

St. Paul, Minnesota

May 22, 1985