

PUBLIC LAW BOARD NO. 3542

Parties
to the
Dispute

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

vs.

CONSOLIDATED RAIL CORPORATION

Case No. 29

Board No 29

STATEMENT OF CLAIM

Claim of the Brotherhood, in behalf of R. L. Jones claiming mileage and overtime from the time the backhoe job was awarded to D. L. Barr.

OPINION OF THE BOARD

Claimant R. L. Jones was improperly held off of a back hoe job at Effingham, Illinois, for a period of about four months (May to September 1981). On September 28, 1981, he was placed on the back hoe job. Claimant contends that he should be reimbursed for all overtime worked by the incumbent on the back hoe for 60 days prior to September 1981 and for all money he spent in travel to the job he held during the period May to September 28, 1981. Carrier denied the claim as untimely and having no merit.

After a review of the record, this Board concludes that Petitioner has not developed a persuasive claim. We see no Rule support for the claim or specific facts on which to base a monetary award.

AWARD

The claim is denied.

R. E. Dennis
R. E. Dennis, Neutral Member

J. Dodd
J. Dodd, Employee Member

R. O'Neil
R. O'Neil, Carrier Member

1-30-88
Date of Adoption