

PUBLIC LAW BOARD NO. 6220

AWARD NO. 8  
CASE NO. 8

PARTIES TO  
THE DISPUTE: Brotherhood of Maintenance of Way Employees

vs.

The Kansas City Southern Railway Company

ARBITRATOR: Gerald E. Wallin

DECISION: Claim denied.

STATEMENT OF CLAIM:

"We are hereby filing claim and grievance in accordance with Rule 13 of the Current Agreement in effect between BMWE and Kansas City Southern Railway Company because the Carrier failed to pay the Claimants identified on Attachments "A" hereto the travel allowance stipulated in article XIV of Mediation Agreement A-12718 dated September 26, 1996."

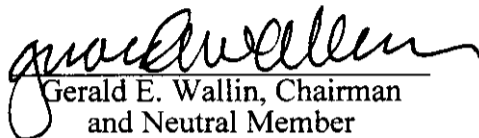
FINDINGS OF THE BOARD:

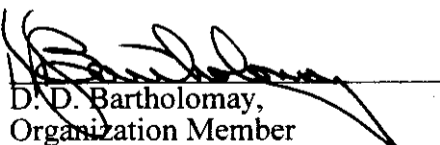
The Board, upon the whole record and on the evidence, finds that the parties herein are Carrier and Employees within the meaning of the Railway Labor Act, as amended; that this Board is duly constituted by agreement of the parties; that the Board has jurisdiction over the dispute; and that the parties were given due notice of the hearing.

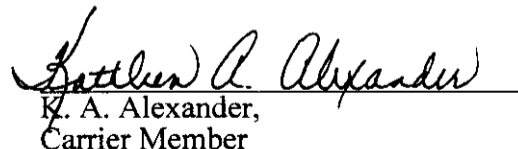
After examining the record herein and reviewing the operative circumstances, the Board finds no proper basis for concluding that Claimant Mark S. Irwin was entitled to the travel allowance sought.

AWARD:

Claim denied.

  
Gerald E. Wallin, Chairman  
and Neutral Member

  
D. D. Bartholomay,  
Organization Member

  
R. A. Alexander,  
Carrier Member

DATE: June 18, 2003