

SPECIAL BOARD OF ADJUSTMENT NO. 541

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees
Erie Lackawanna Railway Company

STATEMENT OF CLAIM:

1. Carrier violated the effective Agreement by failing to properly compensate the following trackmen:

Vance Voxburg	R. Laley
M. Starcher	G. Troup
B. Stockholm	R. J. Rhoades
D. Wilber	

when they were assigned to the handling of mail at Meadville, Pa. early in 1970.

2. Carrier shall now reimburse these named claimants for the difference in pay they have received as Trackmen and what they should have received at the Mail Handler's rate of pay of \$26.2636 per day, beginning February 15, 1970 and continuing as long as this assignment continued.

FINDINGS:

Petitioner contends that Claimants are entitled to the mail handlers' rate for days on which they were required to carry mail from the cabooses to the Yard Office at Meadville, Pa. which is at times a distance of over one mile.

The record does not show that claimants perform the duties of sorting or processing mail or that their work, so far as mail is concerned, consists of anything more than hauling the Company mail that is carried on cabooses. It appears that trackmen clean and supply cabooses and perform other caboose-related tasks. There is no indication that the mail handlers' rate is based, in considerable part, on the mail hauling work in question.

On the basis of this record, the claim will be denied.

AWARD: Claim denied.

Adopted at Cleveland, Ohio, October 16, 1974.

/s/ H. M. Weston
H. M. Weston, Chairman

/s/ R. A. Carroll
R. A. Carroll, Carrier Member

/s/ A. J. Cunningham
A. J. Cunningham, Employee Member