

Public Law Board No. 1922

PARTIES
TO
DISPUTE:

United Transportation Union (Switchmen)

and

Southern Pacific Transportation Company

STATEMENT
OF
CLAIM:

Organization File LA 73-118

Company File YDM 148-16546

Claim is made for a day's pay at the yard rate of payment applicable for the senior switchman standing for service at 9:20 p.m. May 23, 1973, Los Angeles Yard.

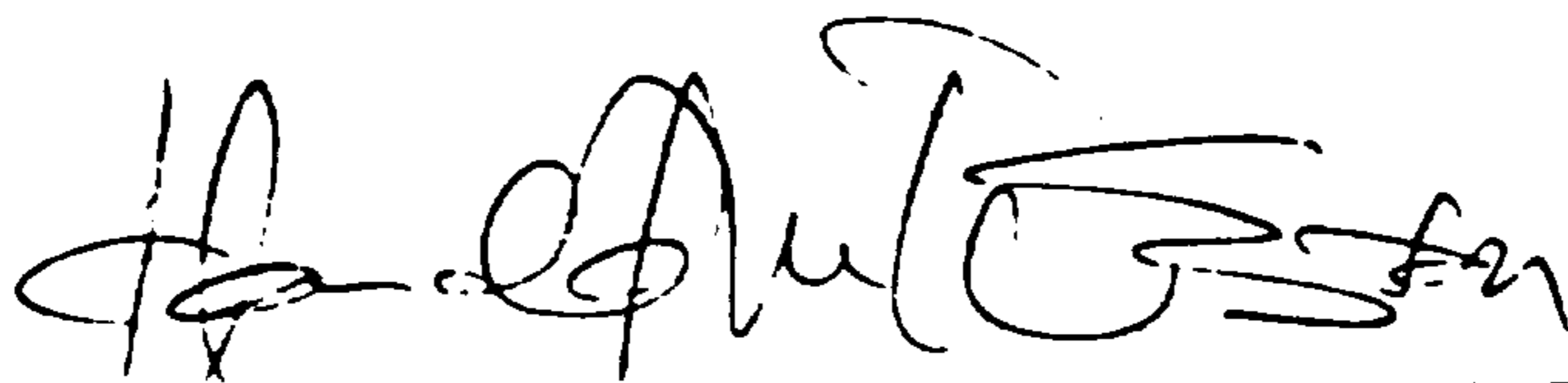
FINDINGS: While the crew of Job 736 were proceeding into a yard track at Alhambra Depot with a cut of cars, Yardmaster Williams lined the derail switch so that the crew could enter into the receiving track at the depot.

There is no question but that the Yardmaster performed work reserved to switchmen and that he had no right to do so in the absence of an emergency. He states, however, that he "was asked by the Foreman on the Alhambra Switcher to line the derail." While the foreman denies making the request, we are not in a position to resolve the question of credibility on this record and will accept the Yardmaster's statement since it is sufficiently clear and specific.

A pay claim by switchmen based on the handling of a switch by a yardmaster or trainmaster is not justified when the work was performed at the specific request of a member of the very yard crew assigned to perform that duty.

AWARD: Claim denied.

Adopted at San Francisco, California, *July 11*, 1978.



Harold M. Weston, Chairman



Carrier Member

Dissent

Employee Member
Luis Gonzalez