

PUBLIC LAW BOARD NO. 1843-

Award No. 4
Case No. 5

PARTIES TO DISPUTE:

The Lake Terminal Railroad Company

and

United Transportation Union

STATEMENT OF CLAIM:

Claim No. T-250-75 of Brakeman, O. Hoff - #864; allow the above named man one days pay for the following reason: on November 18, 1975 at 6:45 p.m. Mr. A. Elek, yardmaster for the N & W Railway South Lorain, Ohio, did perform brakeman's duties by giving the Engineer of Engine #1017 Job 313 a hand signal to back up and did also adjust the rear draw bar on Engine #1017 L.T.R.R. to effect the coupling of said Engine to N.K.P. track #3 which track consisting of 34 cars which said crew of Engine #1017 was ordered to interchange to L.T.R.R. Co. track #741 on said date.

FINDINGS:

The Board finds from the record herein that the work complained of was in fact performed, it was work that was within Carrier's control, and was performed in violation of the agreement between the parties. Because of the unique nature of the facts and circumstances of this dispute, this award shall have no precedential value.

AWARD

Claim sustained. Carrier is ordered to make payment within 30 days of this award.

Nicholas Puma
Neutral Member

RBM Finley
Carrier Member

E. F. Buchanan
Organization Member

Date: JUL 25 1978