

PUBLIC LAW BOARD NO. 2706

PARTIES TO DISPUTE: UNITED TRANSPORTATION UNION - ENGINEMEN
VS.
SOUTHERN PACIFIC TRANSPORTATION COMPANY

STATEMENT OF CLAIM: Claim of Engineer W. D. Richmond for one (1) day at outside hostler rate, September 11, 1978, because he was required to perform the duties of an outside hostler.

STATEMENT OF FACTS: On September 11, 1978, the claimant performed service on yard assignment in the Houston Terminal and was assigned Engine 1316 which he used to perform various switching moves. During his assignment the claimant was transported by motor vehicle to a point within the Houston Terminal switching limits where he handled a hog law train with Engines 6644, NW6087 and LN4038. That train was yarded and the caboose was placed in Track Local #5.

It is the position of the claimant that that work was hostling work and as such he was entitled to one (1) day at the outside hostler rate due to being required to perform the duties of an outside hostler.

On claimant's time return for the date in question, he set out the mode of power of his assignment as a 3 unit locomotive, SP6644, NW6087 and LN4038.

FINDINGS: This case is on all fours with Award No. 4 of Public Law Board No. 2465 on this property wherein it was held:

"However, it seems sufficiently clear to the Board that even though the 5 unit claim was made and paid, that an error in the form of claim should not defeat proper payment and/or adjustment even at this late date. Since the error was coupled to all 5 units it is understandable that the claim was filed for the 5 unit rate. However, since claimant was required to pick up unit 3710 and unit 3850 from the mudge track at Englewood Yard and deliver all five units to the roundhouse inbound at Hardy Street, he performed work that belonged to Outside Hostlers."

AWARD: Claim sustained.

Robert A. Franden, Neutral

E. A. Thompson, Jr.
E. A. Thompson, Jr.
Organization Member

E. S. Lohrke
E. S. Lohrke
Carrier Member

Houston, Texas
June 10, 1981