

PUBLIC LAW BOARD NO. 3195

PARTIES) NORFOLK AND WESTERN RAILWAY COMPANY
TO)
DISPUTE) UNITED TRANSPORTATION UNION (T)

STATEMENT OF CLAIM: Seven (7) claims for payment of one day each at yardmaster rate of pay in favor of Norfolk Terminal Conductor R. W. Mason, account performing yardmaster duties on date of February 3, 4, 7, 8, 9, 10 and 11, 1983.

FINDINGS: This Public Law Board No. 3195 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.

In this dispute the claimant was working on the 4:00 p.m. House assignment at Lamberts Point Docks. On the claim date the claimant was furnished a sheet with spotting instructions. Claimant, working as a conductor, was required to select individual empty cars for spotting by car length and car capacity.

As a result of the instructions to "spot" empty cars at the dock, as set forth above, the claimant submitted these claims for payment at yardmaster rates.

The Organization alleges that the claimant had worked as a yardmaster at this location for twelve years and part of his duties consisted of the work complained of herein. The Organization contends that the selection and making of the switch list had not been required of yard conductors until recently.

The Carrier alleges that yardmasters have not been assigned to the dock areas since August of 1981 and yard conductors and clerical personnel have routinely selected empty cars for spotting.

The Board has examined all of the evidence and the supporting awards cited by the parties. There is no evidence which would support a finding that the claimant was performing work outside the scope of his classification of conductor.

AWARD: Claim denied.


Preston J. Moore, Chairman


Organization Member


Carrier Member

August 30, 1984