

Award No. 2  
Case No. 3

Public Law Board No. 2700

PARTIES  
TO  
DISPUTE:

Brotherhood of Locomotive Engineers  
and  
Missouri-Kansas-Texas Railroad Company

STATEMENT  
OF  
CLAIM:

Claim of Engineer Lee Robbins for basic day in yard at Coffeyville, July 29, 1978.

FINDINGS:

In the course of a trip from Bartlesville, Oklahoma to Parsons, Kansas, claimant made a set out of six cars and pick up at Coffeyville, Kansas.

The cars picked up were destined for Parsons and beyond. One of those cars, the head car, was not in proper position for placement in the train since it was placarded as dangerous materials; claimant had to come around and bury that car five cars deep from the head end. He took several cars from his train for the MOP connection, left them on the north end of the pass and then picked up all of the cars on the main line.

After the pick up had been made, the tonnage for the train was computed and found to exceed the limit allowed by the Missouri Pacific Railroad Company for operation over


their tracks between Coffeyville and Chetopa, Kansas to meet the MoPac standard, eight cars had to be set out and placed on the Union Electric Spur track where they would not interfere with yard traffic.

While these movements were being accomplished by claimant and his crew, a yard assignment was on duty at Coffeyville. Carrier maintains, however, that it was some distance away performing industrial switching at the times in question.

While the work in dispute was performed in connection with the assigned mission of claimant's train, the duties were considerably more involved than contemplated by the rules permitting a pick up of cars. In the absence of further particulars, it is our view that Carrier should have been able to anticipate the possibility of overtonnage.

AWARD: Claim sustained. To be effective within 30 days.

Adopted at Dallas, Texas, *June 9,* 1982.

  
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 Harold M. Weston, Chairman

  
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 Carrier Member

  
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 Employe Member