

PUBLIC LAW BOARD NO. 1977

AWARD NO. 70

CASE NO. 70

FILE NO. T-PY-58

PARTIES TO DISPUTE:

Richmond, Fredericksburg and Potomac Railroad Co.

and

United Transportation Union

STATEMENT OF CLAIM

"Claim of Conductor D. R. Castle for one days pay, March 5, 1980, at pilot rate."

OPINION OF BOARD

This case is similar to the dispute decided by us, this date, in Case No. 57, wherein the Organization insists that Trainmasters are piloting trains into the Relay Yard. In this case, the Organization asserts that the Trainmaster was observed lining the lead switch.

In our Award in Case No. 57, we set forth the various permissible inferences which may be drawn from the evidence, and we feel that those inferences are equally applicable here. Accordingly, we will sustain this claim consistent with our action concerning the dispute in Case No. 57.

FINDINGS

The Board, upon consideration of the entire record and all of the evidence finds:

The parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended.

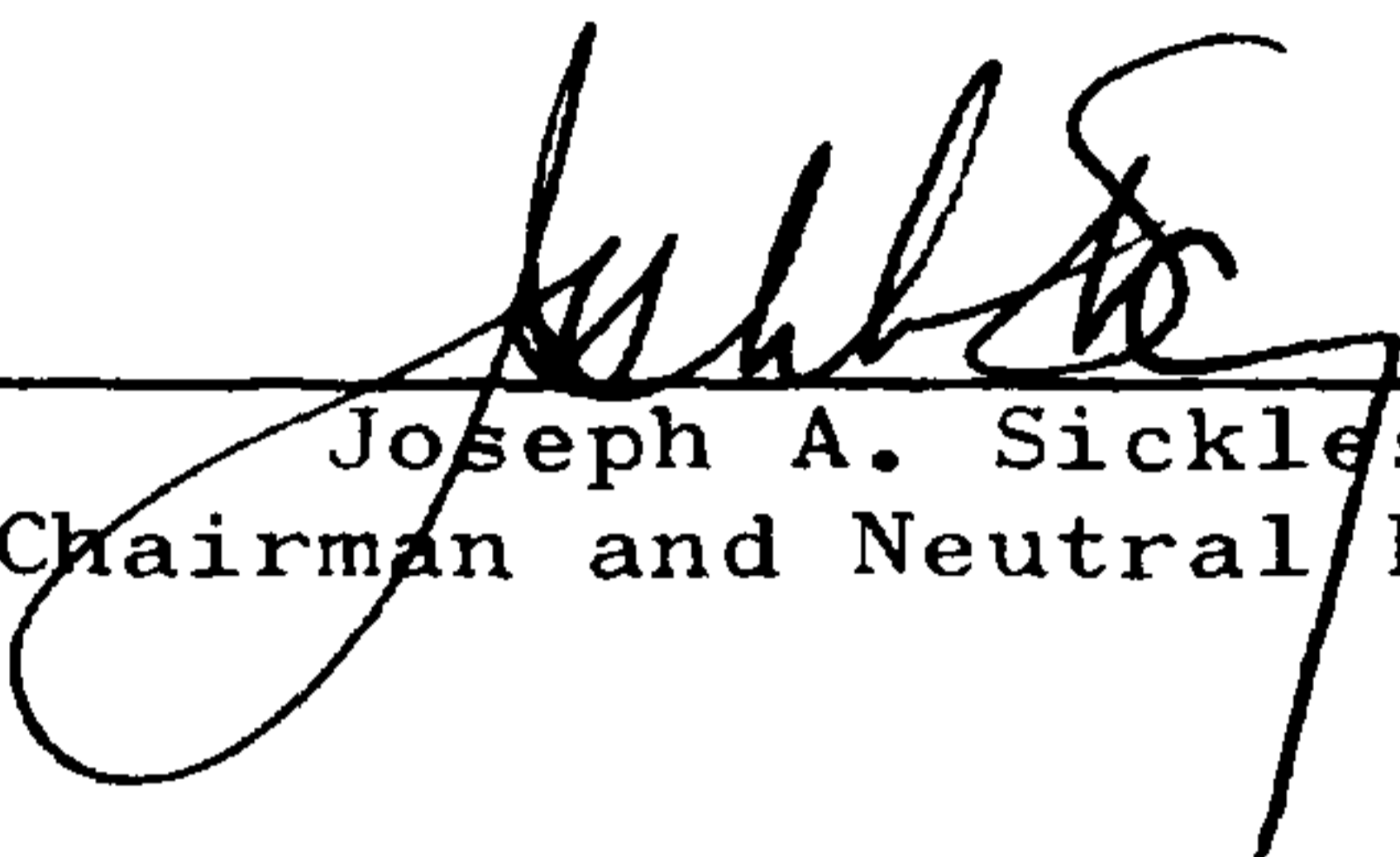
This Board has jurisdiction over the dispute involved herein.

The parties to said dispute were given due and proper notice of hearing thereon.

AWARD

1. Claim sustained.

2. Carrier shall comply with this Award within thirty (30) days of the effective date.

  
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Joseph A. Sickles  
Chairman and Neutral Member

  
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T. B. Choate  
Carrier Member

  
\_\_\_\_\_  
C. E. Wible  
Organization Member

  
\_\_\_\_\_  
DATE