

PUBLIC LAW BOARD NO. 1977

AWARD NO. 77

CASE NO. 77

FILE NO. T-PY-142

PARTIES TO DISPUTE:

Richmond, Fredericksburg and Potomac Railroad Co.

and

United Transportation Union

STATEMENT OF CLAIM

"Claim of Conductor G. Y. Cole and Brakeman W. D. Rohland, and R. H. Young for an additional day's pay, October 21, 1980, account handling cars LTTX 200486 and 500688 from the northbound receiving yard."

OPINION OF BOARD

The Organization asserts that the flat switching crew was required to perform work that is an exclusive function of a hump crew in that the crew was instructed to make a pick up of two (2) cars and classify same.

The Carrier denies a violation of the Agreement however the Carrier insists that various Awards on the property clearly establish that not every car handled at Potomac Yard must be humped and not every car handled at Potomac Yard must be classified by a hump crew.

As we have reviewed the record before us we are unable to find any authority which states that hump crews have the exclusive right to hump any car unless that car is brought to the hump for classification by humping. Stated differently, we find no provision in the Agreement which would preclude the crew in question from handling the car without using the hump facility. (See, for example, Award No. 12 of Public Law Board 1204 between the UTU [T] and this Carrier.)

FINDINGS

The Board, upon consideration of the entire record and

all of the evidence finds:

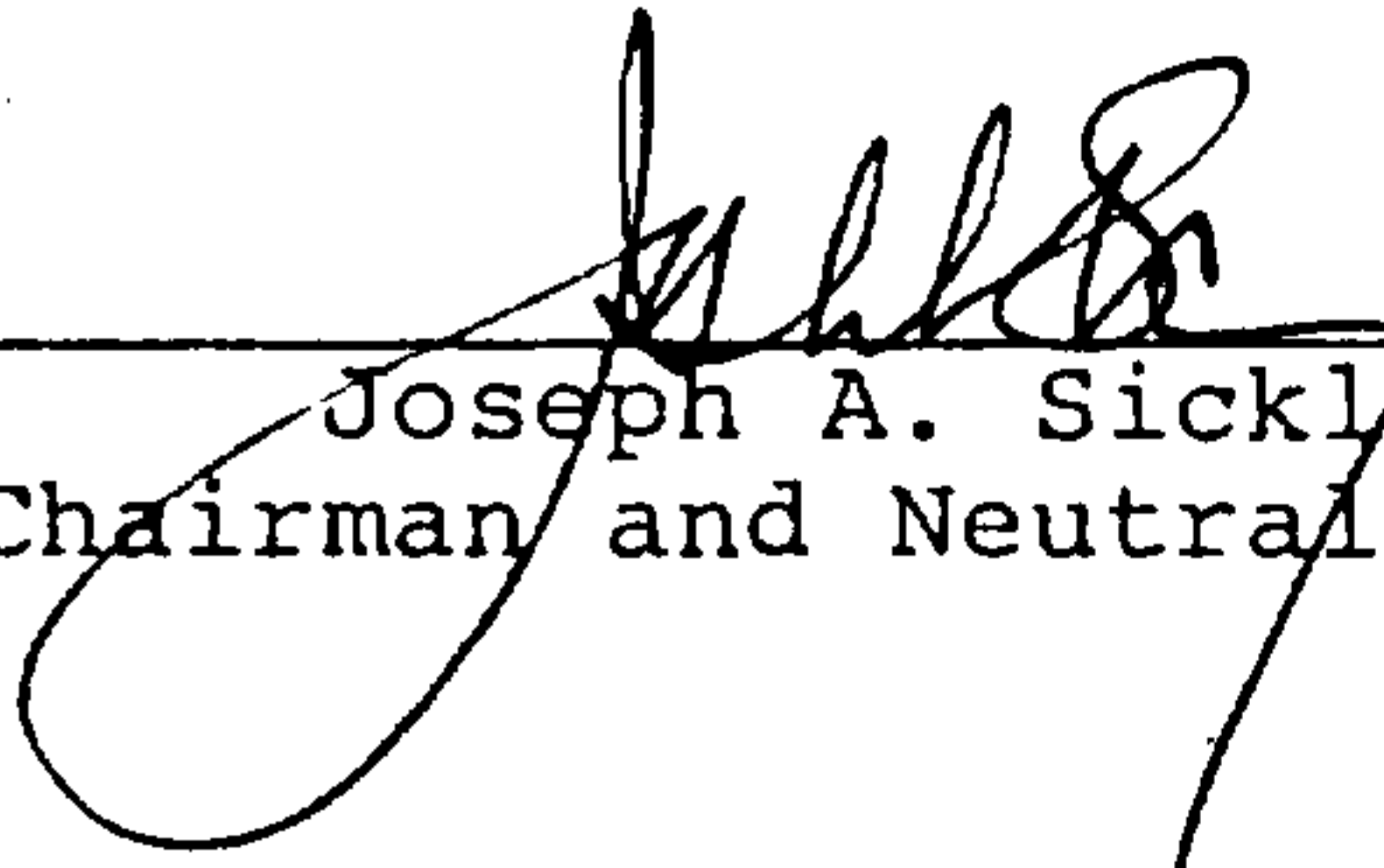
The parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended.

This Board has jurisdiction over the dispute involved herein.

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

AWARD

Claim denied.



Joseph A. Sickles
Chairman and Neutral Member



T. B. Choate
Carrier Member



C. E. Wible
Organization Member

4/5/83

DATE