

PUBLIC LAW BOARD NO. 2149

Award No. 25

Case No. 25
UTU File No. 57-95
Carrier File 89-EX-40506

Parties United Transportation Union (E)

to and

Dispute The Atchison, Topeka and Santa Fe Railway Company
(Coast Lines)

Statement of Claim Claim of Engineer J. M. House for time and one-half holiday pay for service performed on July 4, 1973.

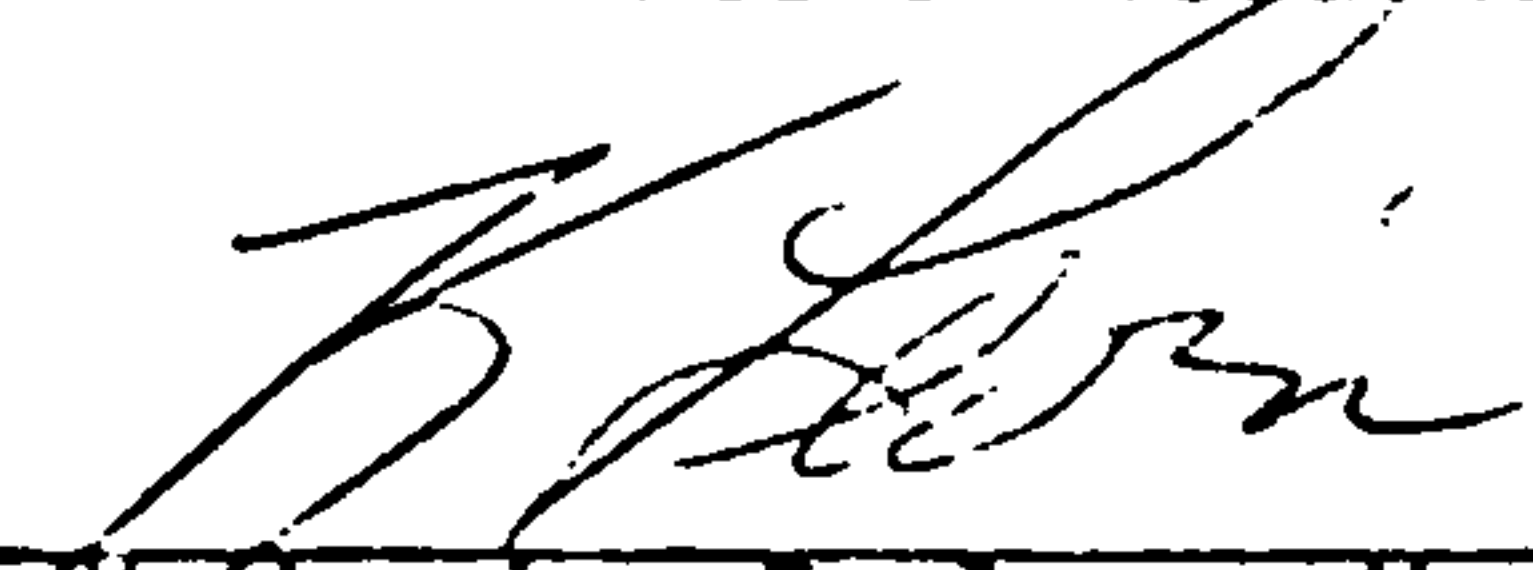
Findings The Board, after hearing upon the whole record and all evidence, finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, that this Board is duly constituted by Agreement dated March 15, 1978, that it has jurisdiction of the parties and the subject matter, and that the parties were given due notice of the hearing held.

Claimant Engineer had been assigned to the Engineer's common road and yard extra board at Bakersfield, for the thirty (30) day period immediately preceeding July 4, 1973. Claimant worked on eleven (11) of those thirty (30) days. He was called on July 4th from the extra board to protect a vacancy in local freight turnaround service out of Bakersfield. The mileage of said local freight was less than one hundred (100) miles. Claimant was here allowed holiday pay but was denied that portion of his claim for time and one-half.

This Board finds no reason in the record that it should not follow Public Law Board 2017 on this property between the BLE and Carrier which handled the same issue as here raised. The Claim was sustained therein for an Engineer who had been used off a common board to perform road service. In the circumstances herein the instant claim shall be sustained.

Award Claim sustained.

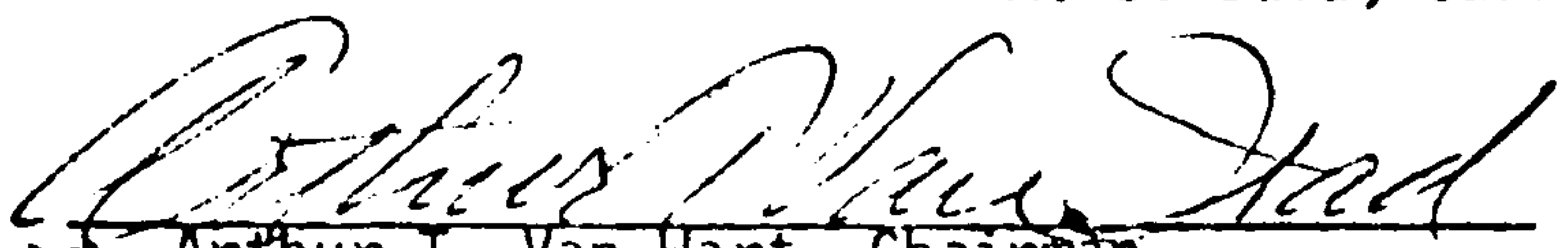
Order Carrier is directed to make this Award effective within thirty (30) days of date of issuance shown below.



K. Levin, Employee Member



A. D. Dula, Carrier Member



Arthur T. Van Wart, Chairman
and Neutral Member

Issued at Wilmington, Delaware, January 19, 1979.