

PUBLIC LAW BOARD NO. 486

PARTIES) MAINE CENTRAL RAILROAD COMPANY - PORTLAND TERMINAL COMPANY
TO)
DISPUTE) UNITED TRANSPORTATION UNION (C&T)

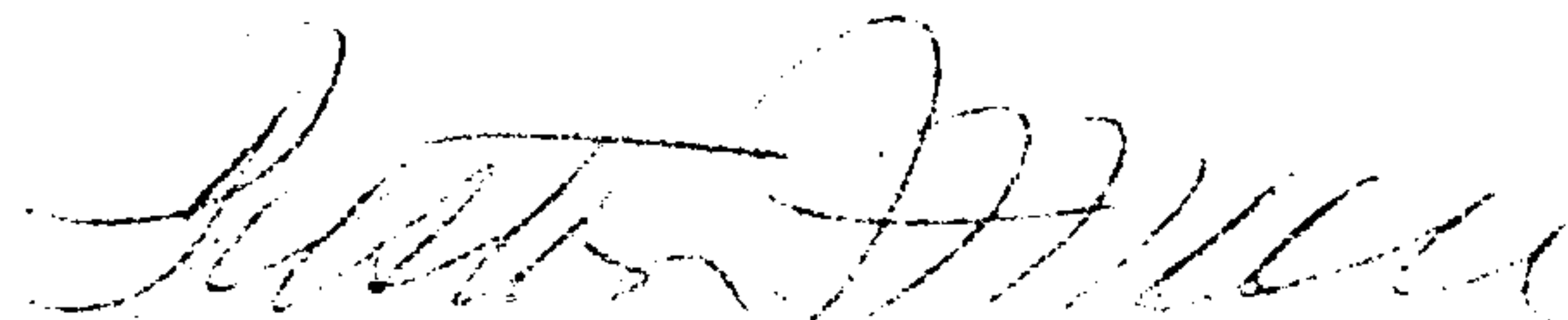
STATEMENT OF CLAIM: Claim of Conductor G. F. Frank, Trainmen D. B. Wetmore and R. G. Carrier, time slip #24 dated June 23, 1971, for 100 miles penalty payment for hauling KN-1's train to Rockland. Was taken from Relief Train Service to Local Freight Service.

FINDINGS: This Public Law Board No. 486 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.

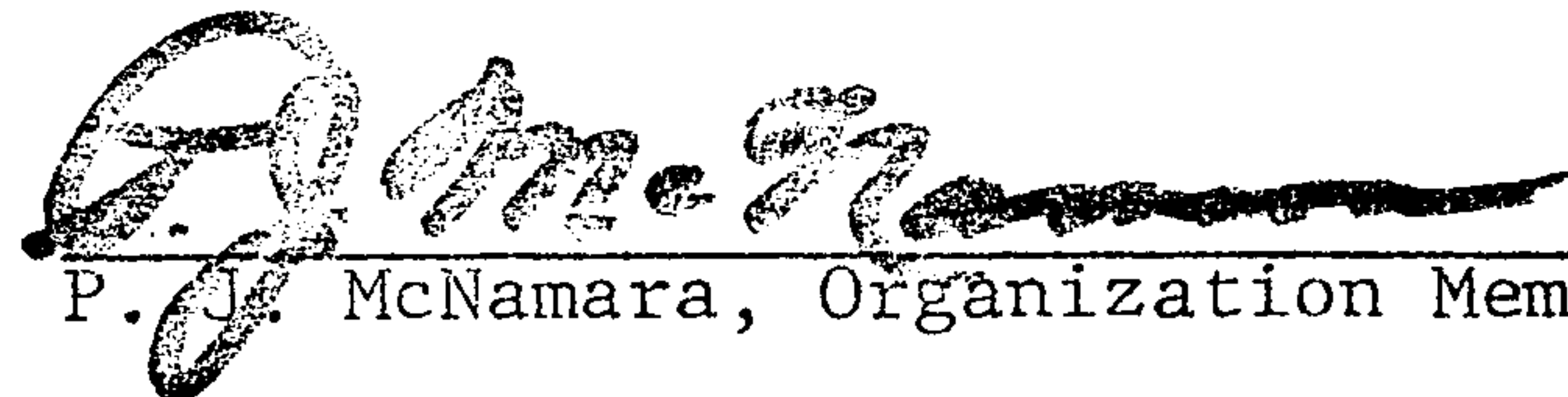
In this dispute local freight No. 325 was tied up under the Hours of Service Law. The claimants were the crew of Relief Train Extra No. 561 working at the scene of a derailment. The claimant crew was then used in local freight train service hauling Train No. 325 from Wiscasset to Rockland. The claimants were paid local freight rates on a continuous time basis. The Organization contends that wreck trains may not be inducted into any other type of service.

In First Division Award No. 16870 the claimant crew was called for a work train and later was instructed to detach their engine and move revenue loads from a spur track two miles off the main line to Macon. The Organization filed a claim for 100 miles at local freight rate in addition to pay received for work train rates. Under the more than one class of service rule the Board held that the claimants were entitled to be paid for continuous time at the highest rate. On the basis of the findings expressed in First Division Award No. 16870 we find that the claim is not supported by the Agreement.

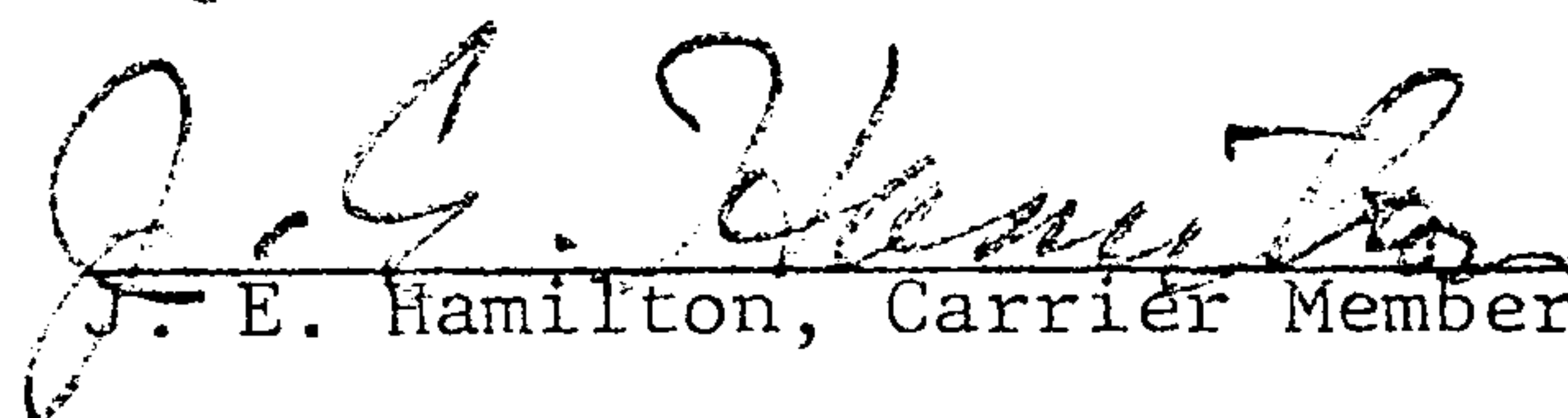
AWARD: Claim denied.



Preston J. Moore, Chairman



P. J. McNamara, Organization Member



J. E. Hamilton, Carrier Member

Portland, Maine
April 2, 1973