

PARTIES) UNITED TRANSPORTATION UNION
 TO) v.
 DISPUTE) BURLINGTON NORTHERN RAILROAD CO.

STATEMENT OF CLAIM:

Claim on behalf of Switchman, listed in Attachment A, for one (1) day's pay at the pro rata yard rate account Carrier officers performing yard work.

OPINION OF THE BOARD

These claims were filed by Fort Worth and Denver Railway Company Yardmen, who were on Yard Extra Board at Fort Worth when supervisory personnel handled through-freight trains between Teague and Fort Worth, Texas. During the claim period, which was August 31 through September 21, 1979, there was a strike on the C.R.I.P. property and pickets were in place. Due to the necessity of through-freight trains using C.R.I.P. trackage through Peach Yard in Fort Worth while traveling between Fort Worth and Teague, and the Joint Texas Division Road Crews honoring such pickets, all through-freight service between these stations was manned by supervisory personnel.

Claim was made for one day's pay at pro rata rate of pay for Switchmen listed in the above claim account Fort Worth and Denver officials for farming yard work.

The above claims are without merit. Carrier properly used Carrier Officers and Supervisors when Joint Texas Crews would not cross picket lines. This was a through-freight movement and not a yard movement.

The above claims will be denied on the basis of Award No. 249 of Special Board of Adjustment No. 423 which held:

"That if the Organization elects to honor the picket line and refuses to make the movement, Carrier is not obligated to separate the work functions in order that they may complete the work with officers of the Carriers who do not feel obligated to honor the picket line."

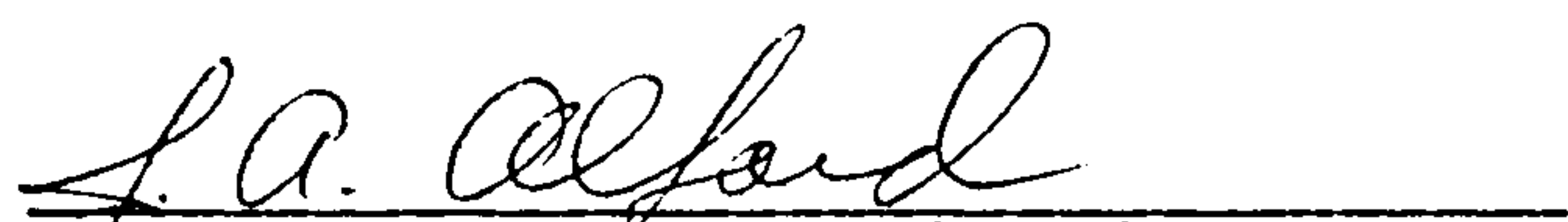
Carrier operated properly in this matter.

AWARD: Claim denied.

Signed at Fort Worth, Texas this 12th day of November, 1985.



Gene T. Ritter, Chairman


J. A. Alford, Organization Member
G. L. Shire, Carrier Member

ATTACHMENT A

- Crew No. 1 Foreman R. D. Marshall, Helpers S. B. Presley and R. W. Greer. Timeslip No. 10-14, dated 10-15-79
- Crew No. 2 Foreman D. R. Fabianke, Helpers R. D. Marshall and S. B. Presley. Timeslip No. 10-15, dated 10-16-79.
- Crew No. 3 Foreman D. R. Fabianke, Helpers R. D. Marshall and S. B. Presley. Timeslip No. 10-16-79
- Crew No. 4 Foreman D. R. Fabianke, Helpers R. D. Marshall and S. B. Presley. Timeslip No. 10-17, dated 10-16-79.
- Crew No. 5 Foreman S. B. Presley, Helpers R. W. Greer and C. L. Young's. Timeslip No. 10-18, dated 10-16-79.
- Crew No. 6 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-19, dated 10-16-79.
- Crew No. 7 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-20, dated 10-16-79.
- Crew No. 8 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-21, dated 10-16-79.
- Crew No. 9 Foreman D. R. Fabianke, Helpers R. D. Marshall and R. W. Greer. Timeslip No. 10-22, dated 10-16-79.
- Crew No. 10 Foreman L. N. Sanderford, Helpers R. T. Sims and N. E. Kilgore. Timeslip No. 10-23, dated 10-16-79.
- Crew No. 11 Foreman L. N. Sanderford, Helpers R. T. Sims and N. E. Kilgore. Timeslip No. 10-24, dated 10-16-79.
- Crew No. 12 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-25, dated 10-16-79.
- Crew No. 13 Foreman R. L. Powell, Helpers M. O. Pauley and J. C. Grissom. Timeslip No. 10-26, dated 10-16-79.
- Crew No. 14 Foreman D. R. Fabianke, Helpers R. W. Greer and C. L. Young's. Timeslip No. 10-27, dated 10-18-79.
- Crew No. 15 Foreman M. O. Pauley, Helpers S. B. Presley and J. C. Grissom. Timeslip No. 10-28, dated 10-18-79.
- Crew No. 16 Foreman M. O. Pauley, Helpers S. B. Presley and J. C. Grissom. Timeslip No. 10-29, dated 10-18-79.
- Crew No. 17 Foreman M. O. Pauley, Helpers S. B. Presley and J. C.

- Grisson. Timeslip No. 10-30, dated 10-18-79.
- Crew No. 18 Foreman M. O. Pauley, Helpers S. B. Presley and J. C. Grisson. Timeslip No. 10-31, dated 10-19-79.
- Crew No. 19 Foreman R. L. Powell, Helpers L. N. Sanderford and P. G. Graham. Timeslip No. 10-32, dated 10-19-79.
- Crew No. 20 Foreman R. L. Powell, Helpers L. N. Sanderford and P. G. Graham. Timeslip No. 10-33, dated 10-19-79.
- Crew No. 21 Foreman P. G. Graham, Helpers J. C. Grisson and S. B. Presley. Timeslip No. 10-34, dated 10-19-79.
- Crew No. 22 Foreman P. G. Graham, Helpers J. C. Grisson and S. B. Presley. Timeslip No. 10-35, dated 10-19-79.
- Crew No. 23 Foreman L. N. Sanderford, Helpers R. T. Sims and P. G. Graham. Timeslip No. 10-36, dated 10-19-79.
- Crew No. 24 Foreman J. C. Grisson, Helpers J. R. Jabusch and S. B. Presley. Timeslip No. 10-37, dated 10-19-79.
- Crew No. 25 Foreman L. N. Sanderford, Helpers R. T. Sims and J. C. Grisson. Timeslip No. 10-38, dated 10-19-79.
- Crew No. 26 Foreman L. N. Sanderford, Helpers R. T. Sims and J. C. Grisson. Timeslip No. 10-39, dated 10-19-79.
- Crew No. 27 Foreman L. N. Sanderford, Helpers R. T. Sims and J. C. Grisson. Timeslip No. 10-40, dated 10-19-79.
- Crew No. 28 Foreman S. B. Presley, Helpers J. R. Jabusch and D. R. Fabianke. Timeslip No. 10-41, dated 10-19-79.
- Crew No. 29 Foreman P. G. Graham, Helpers B. E. Johnson and N. E. Kilgore. Timeslip No. 10-42, dated 10-19-79.
- Crew No. 30 Foreman P. G. Graham, Helpers B. E. Johnson and N. E. Kilgore. Timeslip No. 10-43, dated 10-19-79.
- Crew No. 31 Foreman P. G. Graham, Helpers D. R. Fabianke and B. E. Johnson. Timeslip No. 10-44, dated 10-19-79.
- Crew No. 32 Foreman J. R. Jabusch, Helpers C. L. Young's and P. G. Graham. Timeslip No. 45, dated 10-19-79.
- Crew No. 33 Foreman J. R. Jabusch, Helpers C. L. Young's and P. G. Graham. Timeslip No. 10-46, dated 10-19-79.
- Crew No. 34 Foreman N. E. Kilgore, Helpers M. O. Pauley and R. W. Greer. Timeslip No. 10-47, dated 10-19-79.

- Crew No. 35 Foreman P. G. Graham, Helpers B. E. Johnson and D. R. Fabianke. Timeslip No. 10-48, dated 10-19-79.
- Crew No. 36 Foreman N. E. Kilgore, Helpers M. O. Pauley and R. W. Greer. Timeslip No. 10-49, dated 10-19-79.
- Crew No. 37 Foreman P. G. Graham, Helpers B. E. Johnson and D. R. Fabianke. Timeslip No. 10-50, dated 10-19-79.
- Crew No. 38 Foreman P. G. Graham, Helpers D. R. Fabianke and B. E. Johnson. Timeslip No. 10-51, dated 10-19-79.
- Crew No. 39 Foreman D. R. Fabianke, Helpers N. E. Kilgore and J. M. Gann. Timeslip No. 10-52, dated 10-22-79.
- Crew No. 40 Foreman R. T. Sims, Helpers R. L. Powell and S. B. Presley. Timeslip No. 10-53, dated 10-23-79.
- Crew No. 41 Foreman B. E. Johnson, Helpers D. R. Fabianke and C. L. Young's. Timeslip No. 10-54, dated 10-23-79.
- Crew No. 42 Foreman M. O. Pauley, Helpers J. C. Grisson and C. L. Young's. Timeslip No. 10-55, dated 10-23-79.
- Crew No. 43 Foreman R. L. Powell, Helpers S. B. Presley and M. O. Pauley. Timeslip No. 10-56, dated 10-23-79.
- Crew No. 44 Foreman P. G. Graham, Helpers B. E. Johnson and N. E. Kilgore. Timeslip 10-57, dated 10-23-79.
- Crew No. 45 Foreman S. B. Presley, Helpers J. R. Jabusch and D. R. Fabianke. Timeslip No. 10-58, dated 10-23-79.
- Crew No. 46 Foreman D. R. Fabianke, Helpers N. E. Kilgore and J. M. Gann. Timeslip No. 10-59, dated 10-23-79.
- Crew No. 47 Foreman N. E. Kilgore, Helpers J. M. Gann and R. W. Greer. Timeslip No. 10-60, dated 10-23-79.
- Crew No. 48 Foreman J. C. Grisson, Helpers C. L. Young's and B. E. Johnson. Timeslip No. 10-61, dated 10-23-79.
- Crew No. 49 Foreman M. O. Pauley, Helpers B. E. Johnson and N. E. Kilgore. Timeslip No. 10-62, dated 10-23-79.
- Crew No. 50 Foreman M. O. Pauley, Helpers B. E. Johnson and N. E. Kilgore. Timeslip No. 10-63, dated 10-23-79.
- Crew No. 51 Foreman M. O. Pauley, Helpers B. E. Johnson and N. E. Kilgore. Timeslip No. 10-64, dated 10-23-79.
- Crew No. 52 Foreman J. R. Jabusch, Helpers R. L. Powell and D. R.

Fabianke. Timeslip No. 10-65, dated 10-23-79.

- Crew No. 1 Foreman D. R. Fabianke, Helpers R. D. Marshall and S. B. Presley. Timeslip No. 10-66, dated 10-26-79.
- Crew No. 2 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-67, dated 10-26-79.
- Crew No. 3 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-68, dated 10-26-79.
- Crew No. 4 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-69, dated 10-26-79.
- Crew No. 5 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-70, dated 10-26-79.
- Crew No. 6 Foreman R. T. Sims, Helpers N. E. Kilgore and P. G. Graham. Timeslip No. 10-71, dated 10-26-79.
- Crew No. 7 Foreman P. G. Graham, Helpers D. R. Fabianke and R. W. Greer. Timeslip No. 10-72, dated 10-26-79.
- Crew No. 8 Foreman P. G. Graham, Helpers D. R. Fabianke and R. W. Greer. Timeslip No. 10-73, dated 10-26-79.
- Crew No. 9 Foreman D. R. Fabianke, Helpers N. E. Kilgore and J. M. Gann. Timeslip No. 10-74, dated 10-26-79.
- Crew No. 10 Foreman P. G. Graham, Helpers Fabianke and R. W. Greer. Timeslip No. 10-75, dated 10-26-79.
- Crew No. 11 Foreman C. L. Young's Helpers B. E. Johnson and D. R. Fabianke. Timeslip No. 10-76, dated 10-26-79.
- Crew No. 12 Foreman M. O. Pauley, Helpers R. W. Greer and R. T. Sims. Timeslip No. 10-77, dated 10-26-79.
- Crew No. 13 Foreman R. W. Greer, Helpers J. R. Jabusch and R. T. Sims. Timeslip No. 10-78, dated 10-26-79.
- Crew No. 14 Foreman R. T. Sims, Helpers M. O. Pauley and J. C. Grissom. Timeslip No. 10-79, dated 10-26-79.
- Crew No. 15 Foreman R. T. Sims, Helpers J. C. Grissom and C. L. Young's. Timeslip No. 10-80, dated 10-26-79.
- Crew No. 16 Foreman R. T. Sims, Helpers J. C. Grissom and C. L. Young's. Timeslip No. 10-81, dated 10-26-79.