

AWARD NO. 291
Case No. 291

PUBLIC LAW BOARD NO. 1906

PARTIES) TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS
TO)
DISPUTE) UNITED TRANSPORTATION UNION (T)

STATEMENT OF CLAIM: Claim for a day's pay for Switchmen J. J. Pickett, M. E. Daab and R. E. Loewe for August 3, 1981, because Lead Crew #1 was annulled for one day and their work was performed by Trim #2 Crew.

FINDINGS: This Public Law Board No. 1906 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 Lead Crew No. 1 assignment was annulled for one day, and their work was performed by Trim No. 2 Crew. The Organization alleges that this was a violation of Article 1(a)(3) and (4) of the April 10, 1975 agreement.

Lead Crew No. 1 is bulletined to work Tuesday through Saturday with Sunday and Monday as its assigned rest days. The claim date, August 3, 1981, was a Monday which was the second day of their rest days. There was no regular relief assignment bulletined to work the assignment on its off days.

The claimants were on the extra board, and the record indicates that two of them worked that day on other assignments, and the third man laid off on the claim date.

The Board notes that Article 1(a)(4) states that trim crews may be used to supplement other crews. It is rather a vivid stretch of the imagination to believe that the trim crew involved herein was supplementing the lead crew since the lead crew was not working.

The problem in this matter is that the claimants, who are extra men, were not necessarily entitled to perform this work; certainly not the extra man who was laying off. The other two men (extra men) who were called and worked on that date, and the Board finds nothing in the agreement which gives them a preference for certain work.

The record does not indicate who was entitled to perform the work on the day in question. There may well be a valid claim for the crew who was entitled to perform the work.

AWARD: Claim denied.

Preston J. Moore (att)

Preston J. Moore, Chairman

G. T. DuBose

G. T. DuBose, Organization Member

O. R. Bailey, Jr.

O. R. Bailey, Jr., Carrier Member

St. Louis, Mo.
March 12, 1982