

PARTIES) UNITED TRANSPORTATION UNION
TO)
DISPUTE) BURLINGTON NORTHERN RAILROAD (Former C&S)

STATEMENT
OF CLAIM:

Claim of Conductor P. L. Sandoval, Brakeman J. H. Pfalmer and E. V. Zambonato for 100 miles at yard rate and 35 minutes for helper service, time slips Nos. 21 and 22, January 18, 1982.

OPINION OF THE BOARD

Claimants went on duty on Train 151 at Trinidad for trip to Pueblo on claim date. There were 16 cars situated on the main line blocking Claimants' train. Claimants were instructed to switch these 16 cars from the main line track to the West Pass siding tract. This work was performed by Claimants from 10:15 a.m. to 11:10 a.m. After performing this work, Claimants departed on their trip. During the course of their trip, they were required to shove a work extra to Ludlow in road territory consuming 35 minutes.


The facts disclose that this was a closed yard and that there was a switch engine and switch crew on duty at Trinidad yard at the time this work was performed. Carrier cites Award 67 of this Board for authority. The work performed in Award 67 of this Board was not performed in a closed yard. If this work had been performed on the road, this work would have been permissible. However, in this instance, the work belonged to the yard crew. Also, the claim for an additional 35 minutes when this crew was inducted into helper service, is compensable.

For the above reasons, this claim will be sustained.

AWARD: Claim sustained.

Carrier is directed to comply with this Award within thirty (30) days from the date hereof.

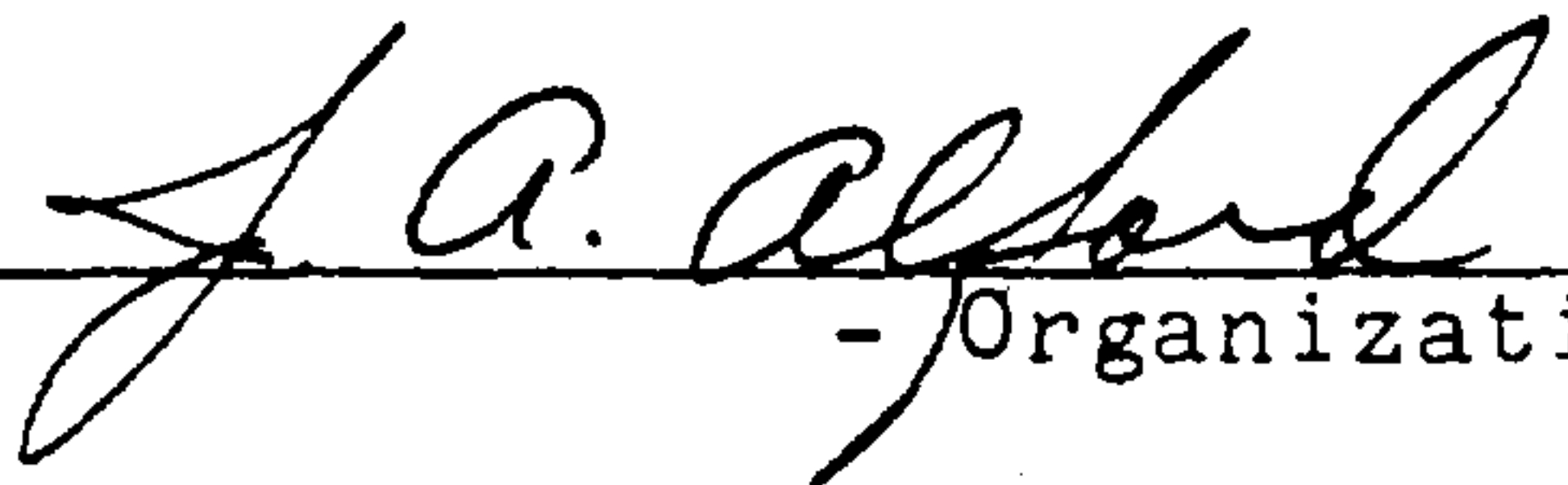
Signed at Fort Worth, Texas this 16th day of MAY, 1984.



GENE T. RITTER - Chairman



B. J. MASON - Carrier Member



- Organization Member