

PUBLIC LAW BOARD 3869

Houston Belt and Terminal Railroad Co. :
and : Award No. 51
Case No. 51
United Transportation Union :

STATEMENT OF CLAIM

"Claim is made for and in behalf of HB&T Yardmen R. L. Hardesty, W. F. Pahl and D. E. Schulze for eight (8) hours at the applicable pro rata rate in addition to any and all other earnings on February 14, 1985."

OPINION OF THE BOARD

The Claimants were assigned to Job 210 North end "A" lead South Yard from 3:00 p.m. to 11:00 a.m. On the claim date the employee performed services on the South end of South Yard for 2 1/2 hours. At 6:00 p.m. a road crew of an ATSF train was preparing to depart from South yard Tracks 1 and 2 and the road crew coupled onto the cars on Track 1 which was full and to the rear of the four cars then on Track 2 which, according to the Carrier, is a well established right for making up a crews own doubleover on the HB&T.

According to the Carrier, the Yardmaster attempted to contact Claimant to make a rear end double over of four cars which is done in order to expedite the departure of the train and reduce the time that major street crossings are blocked. When the Yardmaster was unable to contact the Claimants he instructed the Booth Engine to make the double over.

The Claimants assert that the work in question is covered by their bulletin and as a result there was an incident of job swapping.

The Carrier denies that Claimants were removed from their bulletined area and another assignment was used to perform the work reserved to the first assignment.

Based upon the facts presented here the Board is of the view that the Carrier did not engage in job swapping and therefore there was not a violation of the Agreement. We will deny the claim.

FINDINGS

The Board, upon consideration of the entire record and all of the evidence finds:

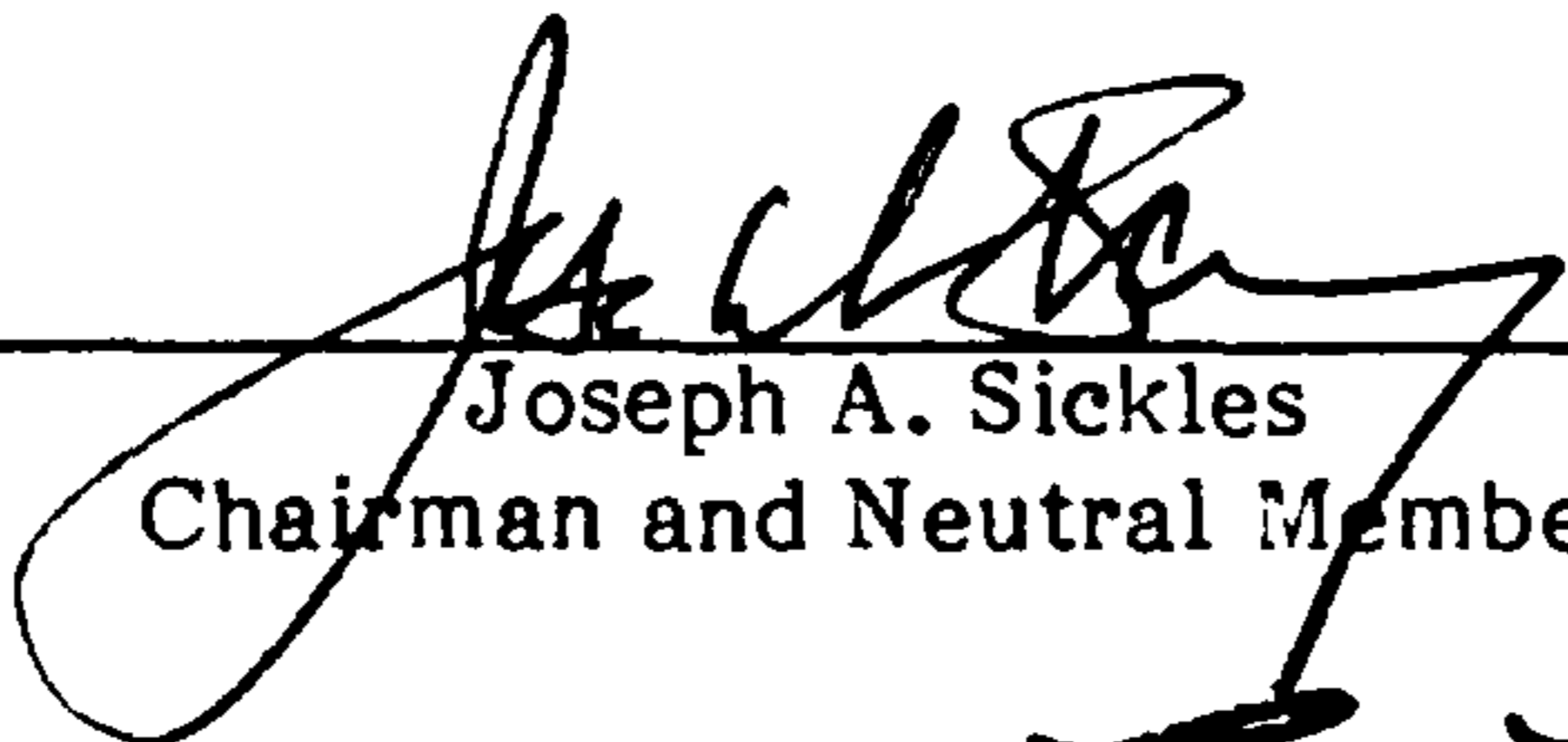
The parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended.

This Board has jurisdiction over the dispute involved herein.

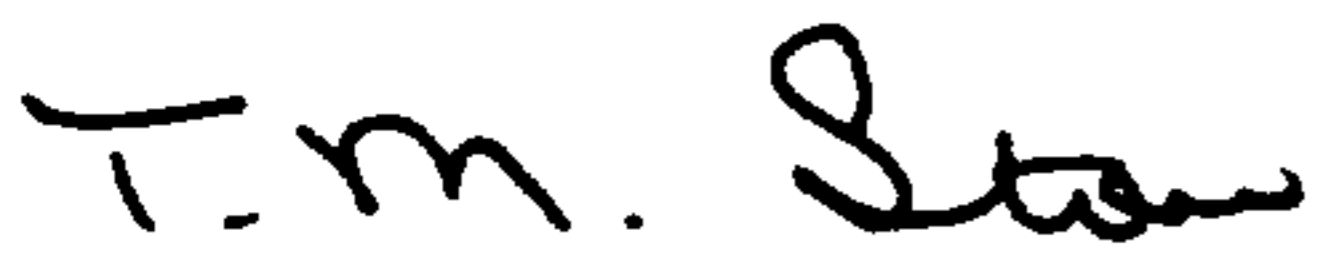
The parties to said dispute were given due and proper notice of hearing thereon.

AWARD


Claim denied.



Joseph A. Sickles
Chairman and Neutral Member



T. M. Stone
Carrier Member



C. L. Little
Organization Member



Date