

**NATIONAL RAILROAD ADJUSTMENT BOARD
FIRST DIVISION**

Award No. 24995
Docket No. 44637
99-1-97-1-U-1965

The First Division consisted of the regular members and in addition Referee Elizabeth C. Wesman when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Locomotive Engineers
(Union Pacific Railroad Company (former Missouri
(Pacific Railroad)

STATEMENT OF CLAIM:

“Claim of various Engineers claiming \$12.50 account of not using company lodging. (List of Claimants attached to claim.)

FINDINGS:

The First Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

The facts of this case are similar to those considered by this Board in Award No. 24994, Docket Number 44635 except that the claim in this case involves lodging allowance, rather than meal allowance. Applicable in this case is the same contract language cited in Award No. 24994. In particular, the May 13, 1971 National Agreement provides that

- “1. Effective June 1, 1971 Article II (Expense Away From Home) of the June 24, 1964 Agreement is amended to cover extra men filling

temporary vacancies at outlying points subject to the following conditions: . . .

(b) Lodging or allowance in lieu thereof where applicable will be provided only when extra men are held at the outlying point for more than one tour of duty and will continue to be provided for the periods held for each subsequent tour of duty."

For the reasons set forth at length in Award No. 24994, the Board finds that the Claimants herein are entitled to the lodging allowance claimed.

AWARD

Claim sustained.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) be made. The Carrier is ordered to make the Award effective on or before 30 days following the postmark date the Award is transmitted to the parties.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of First Division**

Dated at Chicago, Illinois, this 2nd day of June 1999.