

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
FIRST DIVISION

Award No. 25180

Docket No. 44855

01-1-99-1-U-2102

The First Division consisted of the regular members and in addition Referee David P. Twomey when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Locomotive Engineers
(Union Pacific Railroad Company (former Chicago and
(Eastern Illinois Railroad Company)

STATEMENT OF CLAIM:

"Claim of Engineer C.R. Jones for 130 miles deadhead separate and apart August 21, 1997 account not notified to combine his deadhead with the service portion of his trip in accordance with Article VI of Arbitration Award No. 458 including Side Letter No. 4, Paragraph 11-A as well as Item No. 6 of System Agreement - Claims Handling Process effective June 01, 1996."

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.

On August 21, 1997 at 8:30 A.M., the Claimant, Engineer C. R. Jones, was called to deadhead from Villa Grove, Illinois, to Block Siding to protect train MTXGF-20 that had expired under the Hours of Service Law. The Claimant departed Villa Grove, Illinois, at 9:45 A.M., arriving at Block Siding at 10:15 A.M., and eventually departing

Block Siding at 10:30 A.M. He performed service from Block Siding, delivering his train to the Grand Trunk Railroad at Griffin, Indiana. The Claimant claimed a 130 mile deadhead separate and apart from service because he was not called in combined service. We shall sustain this claim because there is no evidence of record to refute the Organization's assertion in this case.

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 5th day of March, 2001.