

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

PARTIES TO DISPUTE: (Burlington Northern Railroad Company
(United Transportation Union

STATEMENT OF CLAIM:

"Claim of the Burlington Northern Railroad Company that the claim of Spokane, Washington Yardman G. L. Rougle is without merit. The claim seeks payment of eight hours' pay at the foreman's rate for each of twelve (12) dates, in addition to all other compensation received. The dates of the claim are August 23, 25, 26, 29, 31, 1988 and September 1, 2, 13, 14, 15, 29 and 30, 1988."

FINDINGS:

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes 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.

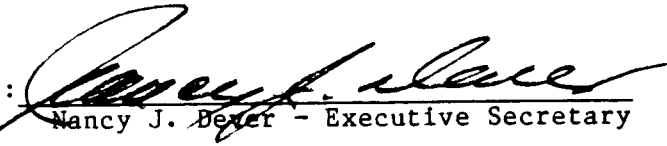
The Claimant was assigned to the position of Utility Yardman at the Yardley Yard in Spokane, Washington. This position is a single position assignment which works at the direction of the Yardmaster, performing duties such as herding engines, lining yard switches, and bleeding air. During the course of his assignment on the claim dates, the Claimant was instructed by the Yardmaster to utilize a company-owned vehicle to transport himself throughout the terminal to perform his work functions. The Organization contends that nowhere has it been contemplated that a Utility Switchman could be required to utilize an automobile to accomplish any of his work. This appellate tribunal must confine itself to matters handled by the parties on the property. We find that the Agreement was not violated when the Claimant was instructed to use a Carrier-owned vehicle to transport himself throughout the terminal to perform his work functions. Our decision in this case is strictly limited to the resolution of the matters handled on the property and now properly before this Board. We can take no position on the factual theories of this case presented for the first time in the Organization's Submission.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of First Division

Attest:


Nancy J. Beyer - Executive Secretary

Dated at Chicago, Illinois, this 25th day of June 1992.