

SPECIAL BOARD OF ADJUSTMENT (P.L. BOARD) NO. 39

Award No. 13
Case No. MW-226

PARTIES TO THE DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Spokane, Portland and Seattle Railway Company (System Lines)

STATEMENT OF CLAIM: "Claim of the System Committee of the
Brotherhood that:

- (1) The Carrier violated the Agreement when it assigned Mechanic I. Larsen instead of a machine operator or machine operator helper to operate Shovel R-3 on January 21, 1966.
- (2) Machine Operator W. Kent be allowed pay at his straight time and time and one-half rate for total number of hours consumed by Mechanic I. Larsen in operating the R-3 Shovel loading dump cars with rip rap as referred to in Part (1) of this claim."

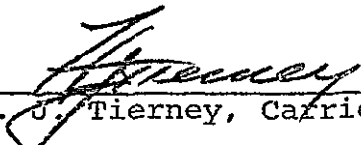
FINDINGS:

The Board, upon the whole record and all the evidence, finds that:

The rules relied upon, when applied to the facts of record, do not support an affirmative award.

AWARD: Claim denied.


J. P. Wilson, Employee Member


H. J. Tierney, Carrier Member

Portland, Oregon
August 10, 1967