

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

Award No. 17
Case No. MW-231

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 used water service employes to maintain passage on track and to clean ditches on Section No. 102 on January 16 and 17, 1966 instead of using Section Laborers F. Mandell, J. Harkless, A. Robirts and L. Prantle.
- (2) Section Laborers F. Mandell, J. Harkless, A. Robirts and L. Prantle each be allowed pay at their respective straight time and/or time and one-half rates for an equal proportionate share of the total number of man hours consumed by water service employes in performing the work 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