

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES  
versus  
MISSOURI PACIFIC RAILROAD COMPANY

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

- (1) The Carrier violated the effective Agreement by allowing others than Roadway Machine Operator Helpers to perform certain work of that class in assisting the Operator of Multiple Tamper No. 7 since April 9, 1958.
- (2) Roadway Machine Operator Helper A. D. Crittenden be now compensated a day's pay at his respective pro rata rate of pay on each of the dates commencing with and subsequent to April 9, 1958, when this violation of the Agreement occurred.

FINDINGS: It appears that effective at the close of work on April 9, 1958, the carrier abolished the position of Roadway Machine Operator Helper on Multiple Tamper No. 7. There is no evidence presented that any exclusive helper duties were thereafter performed by anyone other than the operator and the carrier asserts that all of such duties were thereafter performed by the operator. The assistance of section laborers to place the machine on the track and remove it from the track has no bearing on the need for a helper because they always assisted in such placement and removal. Accordingly on the basis of the evidence in this docket, the claim must be denied.

AWARD: Claim denied.

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(s) Dudley E. Whiting  
Dudley E. Whiting - Chairman

(s) A. J. Cunningham  
A. J. Cunningham - Employee Member

(s) G. W. Johnson  
G. W. Johnson - Carrier Member

St. Louis, Missouri  
June 5, 1959