

SPECIAL BOARD OF ADJUSTMENT NO. 279BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus
MISSOURI PACIFIC RAILROAD COMPANYSTATEMENTOF CLAIM: Claim of the System Committee of the Brotherhood that:

1. The Carrier violated the effective Agreement by failing to bulletin the position of Motor Car Repairman assigned to operate the Superintendent's Hi-Rail car at Monroe, Louisiana.
2. The Carrier further violated the Agreement by refusing to allow Motor Car Repairman C. P. Hendrix to displace Bobby W. Burson on September 12, 1958, on the position of Motor Car Repairman operating the Superintendent's Hi-Rail car at Monroe, Louisiana.
3. The Carrier now reimburse Motor Car Repairman C. P. Hendrix for the difference between what he received as Motor Car Repairman Helper and what he would have received as Motor Car Repairman commencing with September 12, 1958, and continuing.

FINDINGS: On July 1, 1958, the Carrier established a position with the payroll designation and rate of motor car repairman which had for its full time duties the work of servicing and driving the hi-rail automobile used by the division superintendent at Monroe, Louisiana.

Operation of such automobile is not the exclusive work of Maintenance of Way employees because it is conceded that the superintendent and others designated by him can properly operate such automobile. Such operation in the past had been performed by qualified motor car repairmen and helpers at that point and is and has been regularly performed by such employees on other divisions.

It appears that when the Carrier established a position entitled Motor Car Repairman and assigned to it duties which are regularly and normally assigned to motor car repairmen and helpers under the Maintenance of Way Agreement, such position became subject to such agreement and employees with seniority thereunder were entitled to displace thereon.

AWARD: Claim sustained.

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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
July 17, 1959