

AWARD NO. 3
Docket No.3

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 failing to equip camp car of Extra Gang Foreman Robert Boswell as provided in Rule 33.
- (2) Extra Gang Foreman Robert Boswell be reimbursed for actual expense incurred for meals and lodging during the month of August 1957 in the amount of \$95.20 on account of this violation of the Agreement.

FINDINGS: On June 14, 1957, the claimant wrote to the division engineer complaining about his camp car that the screen doors were bad and mosquitoes were prevalent, also about the lack of water connection with the shower. It appears that the Carrier officials neither investigated nor remedied such complaints until the first week in September when the water was connected to the shower. There is no evidence that it was not practicable to make such connection in August and no evidence that the condition of the screens was remedied. Thus it appears that there was a violation of Rule 33 and some remedy is due to the claimant. His claim is for reimbursement for expenses incurred for meals and lodging. The evidence in this case does not justify allowance of the claim for meal expense so the appropriate remedy is allowance of his expense for lodging, which amounts to \$42.50, during the month of August, 1957.

AWARD: Claim sustained to the extent stated in the Findings.

SPECIAL BOARD OF ADJUSTMENT NO. 279

(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 16, 1959