

AWARD NO. 66  
Docket No. 66

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 assign section laborers Ramon Cervantes, Sigifredo Guerra, Jerry Kleprlik, Frank Perez, and Nestor Rodriguez to the performance of work on their own Section during the entire month of December 1958.
- (2) The Carrier shall now compensate furloughed Section laborers as named in part one for 8 hours' pay on each working day during the period referred to at their respective straight-time rate of pay.

FINDINGS: In general, disposition of this claim is governed by our award in Case No. 64.

In addition thereto, it appears that Claimant Perez claimed pay for Christmas Day, on which no work was performed, and for five days on which he performed service as crossing watchman and hence was not available. Claims for these dates disallowed.

It appears that Claimant Guerra claimed pay for December 31, on which day he worked as a laborer on Section No. 142, so claim for that date is disallowed.

It appears that Claimant Kleprlik claimed pay for December 9 when he was working as a crossing watchman and not available, so claim for that date is disallowed.

Otherwise, claims are allowed, less unemployment compensation and earnings in other employment.

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  
September 7, 1962  
File BMW 33-58