

SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES) Brotherhood of Maintenance of Way Employees
)
TO)
)
DISPUTE) St. Louis Southwestern Railway Company

STATEMENT OF CLAIM:

"It is the claim of the Brotherhood that:

- "1. The Carrier violated the effective Agreement when it required Welding Gang #4, namely, Welder R. L. Todd, Sr., and Welder Helper T. D. Westberry, to change their regular assigned hours of 7:30 AM to 4:00 PM, to 9:00 AM, until 6:00 PM, beginning January 24, 1973, and continuing on January 25, 26, 29, 30, 31 and February 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 1973, and continuing.
- "2. The named Claimants and/or their successors, members of Welding Gang #4, shall now be paid one (1) hour and thirty (30) minutes, 7:30 AM, to 9:00 AM, per day, each claimant, at their respective straight time rate, and, two (2) hours, 4:00 PM, to 6:00 PM, per day, each claimant at their respective time and one-half time rate, on dates specified above, for the violation referred to in Part 1, and continue until this violation of the Agreement ceases.
- "3. These named Claimants, and/or their successors, be likewise compensated for all such similar services rendered, and for the exact amount of time on each and every day, subsequent to the dates specified, and continuing until this violation of the Agreement ceases."

FINDINGS:

In the handling on the property, Carrier stated as its reasons for changing the starting times as follows:

[W]elding Gang #4 was working with Extra Gang No. 18, in the vicinity of Mile Post C-621, in the sledding operation, and, due to the number of trains

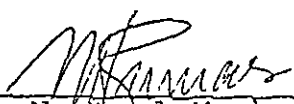
run early no track and time could be obtained.
until after 9:00 AM.


The reasons were not disputed by the Organization.

The Board finds that there was a substantive showing in the
record to warrant a change of starting times until Rule 7-13 (e).

AWARD

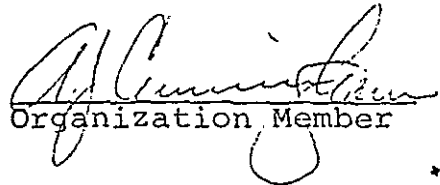
Claim denied


Neutral Member


Carrier Member

Date:

March 18, 1977


Organization Member