

(C O P Y)

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees	}	
and	}	
St. Louis Southwestern Railway Company	}	Case No. 38
		Award No. 38

STATEMENT OF CLAIM:

Claim of the System Committee of the Brotherhood that:

1. The Carrier violated the effective Agreement by failing to assign and compensate Mr. C. W. Jordan, Welder, as a welding Foreman in the absence of the regular Foreman during the period of November 9 through 13, 1959, at the Pine Bluff Shop.
2. That the Carrier now reimburse C. W. Jordan for the difference in what he was paid as Welder and what he should have been paid as Welder Foreman during this referred to period.

FINDINGS:

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and that this Board is duly constituted by agreement and has jurisdiction of the parties and of the subject matter.

For the reasons advanced in Case No. 35, resulting in Award No. 35, this claim will be denied.

AWARD:

Claim denied.

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(s) Thomas C. Begley  
Thomas C. Begley, Chairman

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

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(s) M. L. Erwin  
M. L. Erwin, Carrier Member

Dated at Tyler, Texas  
November 19, 1962.