

(C O P Y)

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees)	
and)	Case No. 39
St. Louis Southwestern Railway Company)	Award No. 39

STATEMENT OF CLAIM:

1. The Carrier violated the effective Agreement by failing to compensate Extra Gang Laborers Marvin Stove, Willard Aaron, Arteria Watson, Willie Rose, Harvey Pace, S. B. Johnson, Ellis Morgan, F. L. Hopson, E. Armstrong and Macie Daniel, Members of Extra Gang No. 14 for 8 hours' pay on February 25, 1960.
2. The Carrier should now compensate these employees for 8 hours' pay at their respective rate for February 25, 1960, less any compensation paid to any of these claimants on that date.

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.

From the evidence produced at the hearing, the Board finds that these claimants were held on duty. Since the claimants were not actually released from duty until the Foreman returned to the outfit cars, this claim will be sustained for the actual hours the claimants were held on duty.

AWARD:

Claim sustained in accordance with Opinion.

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

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

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

Dated at Tyler, Texas
November 19, 1962.