

(C O P Y)

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees)	
and)	Case No. 43
St. Louis Southwestern Railway Company)	Award No. 43

STATEMENT OF CLAIM:

Claim of the System Committee of the Brotherhood that:

1. That the Carrier violated the effective Agreement by failing to compensate Section Laborer George H. Garner for difference in rate of pay between what he received as Section Laborer and what he should have received as a Truck Driver for the dates of March 1-3-4-7-8-9-10-11-14 and 15, also 5 hours Sunday, March 13, 1960.
2. That the Carrier now reimburse Claimant George H. Garner for the difference in pay now due him in accordance with part 1 of this claim.

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. 17 resulting in Award No. 14, this claim is hereby denied.

AWARD:

Claim denied.

(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.