

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees	}	Case No. 45 Award No. 45
and		
St. Louis Southwestern Railway Company		

STATEMENT OF CLAIM:

1. The Carrier violated the effective agreement by failing to reimburse Welder Helper Lloyd Keistler for car mileage amounting to 268 miles at 8¢ per mile for the use of his private automobile in transporting himself from Pine Bluff to Weiner on March 7, 1960, and from Weiner to Pine Bluff on March 11, 1960.

2. The Carrier shall now reimburse Welder Helper Lloyd Keistler \$21.44 for this expense referred to in Part One 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.

The Organization states that the claimant was a regularly assigned Welder Helper with headquarters at Pine Bluff, Arkansas. He was required by the Carrier to leave his regularly assigned headquarters and travel to Weiner, Arkansas, reporting there for work on March 7, 1960. The Carrier provided no means of transportation for this claimant or any instructions as to the method of transportation. The claimant used his own private automobile to get himself to Weiner to perform the assigned duties on the date of claim and returned to his headquarters at Pine Bluff after he finished the assignment on March 7, 1960.

The Carrier states that this employee was not authorized to travel by automobile.

The Board finds that the Carrier should instruct its employees who are to travel from their headquarters as to what mode of transportation to take on such an assignment. This the Carrier failed to do, and the employee was justified in using his private automobile.

AWARD: Claim sustained.

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

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

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

Dated at Tyler, Texas
December 14, 1964