

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employes	}	Case No. 57
and		Award No. 57
St. Louis Southwestern Railway Company		

STATEMENT OF CLAIM:

1. The Carrier violated the effective Agreement by assigning Dragline Operator E. N. Williams and his Helper, C. A. Tharp, to make repairs to the rear end of Truck No. 1608 at Gilkerson Hill, south of Jonesboro, Arkansas, on or about October 2, 1956.

2. The Carrier shall now reimburse Roadway Machine Mechanic H. B. Clary, who was furloughed at this time, the total number of man hours at the mechanics' rate of pay as was consumed in the performance of this work referred to.

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 on or about October 2, 1956, Carrier's Truck No. 1608 was in need of repairs to its rear end. The truck at that time was at Gilkerson Hill, Arkansas. The Dragline Operator E. N. Williams and his Helper, C. A. Tharp, performed the necessary repair work. The number of man hours so consumed amounted to \$125.00. At that time Roadway Machine Mechanic H. B. Clary had been off, due to a reduction in force.

The Carrier states that it has a letter dated February 18, 1960, from E. N. Williams in which he states that the repairs to Truck No. 1608 were made by Mechanic H. C. Burris and that he and his helper had nothing to do with this work.

The Board finds that neither Williams nor his helper performed the work in question; therefore, this claim will be denied.

AWARD: Claim denied.

(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