

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. 80

Award No. 81

STATEMENT OF CLAIM:

1. The Carrier violated the Agreement between the Carrier and the Maintenance of Way Employees when, on April 25, 1962, it used an Ice Dock worker to clean the grounds at Pine Bluff, Arkansas.

2. The Carrier shall be required to compensate Alex Richmond for three (3) hours, at Section Laborer's pay for time worked by Thomas Jones cleaning station grounds on April 25, 1962.

And supplemental claim as follows:

1. The Carrier violated the effective Agreement by assigning four (4) Ice Dock Laborers to cleaning grounds around the station, at Pine Bluff, Arkansas on May 7, 1962.

2. Furloughed employee Alex Richmond be now compensated at the Section Laborer's rate of pay for a total number of hours consumed by the four Ice Dock Laborers in the performance of this referred to work.

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 Board finds that on claim dates the ice dock workers were required after icing cars to fill in the three hours of call in pay to pick up waste paper around the dispatcher's office, Superintendent's office and lunch room. This is not the exclusive work of Maintenance of Way employees. Therefore, the Carrier was not required to call the claimant to perform this work.

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

Issued at Cleveland, Ohio
this 3rd day of April, 1968.