

SPECIAL BOARD OF ADJUSTMENT NO. 235

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

vs.

READING COMPANY

Award No. 41

Case No. 41

STATEMENT OF CLAIM:

1. The Carrier violated the effective agreement by assigning employees of the Motive Power Department to install a one and one-half inch water pipe line from the Engine House pump to the turntable East of the Shop at Rutherford, Pa., during the period of February 13 to 23, 1961.

2. The senior plumbers located at Rutherford, Pa., be now paid a proportionate share each of the total number of hours consumed by the M.P.D. employees in installing this pipe.

OPINION OF BOARD:

The welding work in question is covered by the subject Agreement but the plumbers in the territory involved had not previously performed welding and were not qualified to do such work. It is reasonable to expect that the parties will take joint steps to ensure that these plumbers become qualified to perform welding work so that similar claims may be avoided in the future.

Although a technical violation of the Agreement occurred, under the circumstances shown in the record there is no basis for awarding compensation to the claimant plumbers.

AWARD:

Part 1 of the claim sustained. Part 2 denied.

(s) Lloyd H. Bailer

Lloyd H. Bailer, Chairman

(s) A. J. Cunningham

A. J. Cunningham, Employee Member

(s) H. F. Wyatt, Jr.

H. F. Wyatt, Jr., Carrier Member

Philadelphia, Pa.,
January 29, 1963.