

SPECIAL BOARD OF ADJUSTMENT NO. 205

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

vs.

READING COMPANY

Award No. 46

Case No. 46

STATEMENT OF CLAIM:

1. The Carrier violated the effective Agreement when it assigned or otherwise permitted the members of the District Gang of Danville, Pennsylvania, to remove and replace crossing timber at the road crossing at Maudsley, Pennsylvania, on November 15, 1961.
2. The Carpenters and their Gang Leader at West Milton, Pennsylvania, be paid 3 hours each on account of this violation.

OPINION OF BOARD:

The work specified in the above Statement of Claim belongs to B&B carpenters but the evidence discloses that no B&B carpenters were available to perform this work on the day that it was performed by the track gang. The Track District Gang Foreman acted prudently in concluding that correction of the rail condition could no longer be delayed. An emergency situation existed which justified the use of the track gang in this instance to perform the subject work.

AWARD:

Claim 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.