

AWARD NO. 55
CASE NO. 57

SPECIAL BOARD OF ADJUSTMENT NO. 285

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
vs.
READING COMPANY

STATEMENT OF CLAIM:

1. The Carrier violated the effective Agreement when on December 8, 1963, it failed or refused to permit Plumber Foreman Harley S. Jones to work with his three plumbers at the Reading Terminal, Philadelphia, Pa.
2. Foreman Plumber Harley Jones be now paid 10 hours at his time and one-half rate of pay account of this violation of the Agreement on December 8, 1963.

OPINION OF BOARD:

The record discloses that for ten overtime hours beginning at midnight on December 8, 1963, the Carrier worked three Plumbers assigned to the gang supervised by the Claimant Foreman. The claim is that the Foreman should have been used during these hours in conjunction with the subject members of his gang. The work performed was the installation of copper water pipes in the basement of carrier's Reading Terminal Building, Philadelphia. No emergency situation was involved.

Under the confronting circumstances, we are of the opinion that the Claimant Foreman should have been used. The claim will be sustained but at pro rata rate.

AWARD: Claim sustained, but at pro rata rate.

/s/ Lloyd H. Bailer
Lloyd H. Bailer, Chairman

/s/ A. J. Cunningham
A. J. Cunningham, Employee Member

/s/ V. W. Bigelow
V. W. Bigelow, Carrier Member

Philadelphia, Pa.
June 28, 1966.