

SPECIAL BOARD OF ADJUSTMENT NO. 287

PARTIES:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
and
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 24

STATEMENT "Claim of the System Committee of the Brotherhood that:
OF CLAIM:

(1) The Carrier violated the effective Agreement when it assigned the work of constructing an extension to Bridge 233/41 to a General Contractor whose employees hold no seniority rights under the provisions of this Agreement.

(2) Each of the Bridge and Building employees on the seniority district where the work was performed be allowed pay at his respective straight time rate for an equal proportionate share of nine hundred sixty (960) man-hours consumed by the contractor's forces in performing the work referred to in Part (1) of this claim."

FINDINGS: Carrier denied this claim by letter dated May 9, 1958. The claim involves Bridge 233/41.

Organization has failed to meet the requirements of timely filing, and this claim is barred under an application of the August 21, 1954, time limit rule.

AWARD

Claim denied in accordance with findings.

(s) Edward A. Lynch
Chairman

(s) A. J. Cunningham
Employee Member

(s) T. S. Woods
Carrier Member

Dated at Baltimore, Maryland,
this 28th day of March, 1960.