

AWARD NO. 23
CASE NO. MW 261

SPECIAL BOARD OF ADJUSTMENT NO. 293

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus

THE CENTRAL RAILROAD COMPANY OF NEW JERSEY

STATEMENT OF CLAIM:

That the Carrier violated the effective agreement when on January 19 and 20, 1960, they permitted employees of the Rahway Valley Railroad to make repairs of tracks #6 and #8 at Aldene Station, Aldene, N. J.

That the regularly assigned members of Section No. 7, Cranford, N. J., now each be reimbursed the equivalent amount of hours consumed by the employees of the Rahway Valley Railroad to perform this work on January 19 and 20, 1960.

OPINION OF BOARD:

At about 11:30 A.M. on January 19, 1960 two Rahway Valley Railroad cars were derailed on the switch from track #6 leading into the Rahway Valley Railroad at Aldene, New Jersey. Employees of the Rahway Valley Railroad were used to rerail the cars. The evidence also shows that track repair work was performed by these employees at the point of derailment on that date.

The subject claim is filed in behalf of the regularly assigned members of Section Gang No. 7, Cranford, New Jersey, on the ground that employees of a foreign carrier were improperly permitted to perform track repair work arising on the property of the Central Railroad Company of New Jersey and within the assigned territory of this section gang. We find merit in this claim with respect to January 19, 1960. However, the evidence does not establish that the violation complained of also occurred on January 20, 1960. The claim will be sustained in the amount of 4 hours pay for each member of Cranford Section Gang No. 7 for the date of January 19, 1960.

A W A R D: Claim sustained to the extent indicated in the above Opinion of Board.

/sd/ Lloyd H. Bailer
Lloyd H. Bailer, Neutral Member

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

/sd/ C. S. Strang
C. S. Strang, Carrier Member

Jersey City, N. J.
October 13, 1964.