

C O P Y

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 366

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employes	}	Case No. 15
and		Award No. 15
Southern Pacific Lines in Texas and Louisiana		
(Texas and New Orleans Railroad Company)		

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

(1) The Carrier violated the effective agreement when it failed and refused to allow Bulldozer Operator Helper A. J. Sanders pay for each date October 6 to October 10, 1958, inclusive, and also failed and refused to allow expenses as claimed on expense account for the same dates.

(2) Bulldozer Operator Helper A. J. Sanders be allowed eight (8) hours' pay for each date October 6 to October 10, 1958, inclusive.

(3) Bulldozer Operator Helper A. J. Sanders be reimbursed for the expenses incurred and as reported on the expense account covering each of the above-mentioned dates.

FINDINGS:

Upon the whole record and all the evidence, after hearing the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and that this Board is duly constituted by agreement and has jurisdiction of the parties and of the subject matter.

From the record in this case the Board finds that the claimant did not make a reasonable effort to ascertain where his bulldozer was located. The claimant did not go to the Roadmaster's office and stay there until the Roadmaster informed him where the bulldozer was located, but he merely stated that he called the Roadmaster's clerk.

AWARD: Claim denied.

(s) Thomas C. Begley
Thomas C. Begley, Chairman

(s) A. J. Cunningham
A. J. Cunningham, Employee Member

(s) L. C. Albert
L. C. Albert, Carrier Member

Dated at Houston, Texas
December 17, 1962