

C O P Y

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 366

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees	}	Case No. 19
and		Award No. 19
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 by assigning B&B Employees to the performance of certain welding work on March 1 and 2, 1960 and again on March 13, 1960.

(2) That Welder Thomas J. Cox and Helper A. L. Lee be now compensated two hours each at their respective pro rata rates for March 1 and two hours each for March 2, 1960, also, be compensated for eight hours each at their respective pro rata rates of pay for March 13, 1960.

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 evidence produced at the hearing, the record shows that B&B forces on claim dates used cutting torches on a steel culvert at Clinton Docks, Houston, Texas, and on steel pipe at the same location. On March 13th the B&B forces cut all the bolts on the bridge which holds the stringers to the caps before the rest of the men arrived at the bridge to raise it. B&B Gangs have used cutting torches for many years, and there is no evidence offered by the Organization that any welding work was performed on any of the claim dates. No welding having been performed, this claim will be denied.

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.