

C O P Y

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 366

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employes)	Case No. 25
and)	Award No. 25
Southern Pacific Lines in Texas and New Orleans)	
(Texas and New Orleans Railroad Company))	

STATEMENT OF CLAIM:

Claim of the System Committee that:

1. Carrier violated the effective Agreement on or about December 29, 1959, when it assigned members of Section Gang No. 1 at Gretna, La., to the removing of old metal guard rail and the installing of new replacement guard rail on the bridge at Harvey, La.

2. That B&B Employees, B. J. Cox, C. D. Rousselle, James H. Shelly, Jr., Richard LeBlanc, A. O. Wolff and Johnnie L. Barber be now compensated for six hours of pay each at their respective B&B rates of pay account of this referred to violation of the Agreement.

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 the Board finds that Track forces have removed and installed guard rails since 1936. This work has not been the exclusive work of the B&B forces. Therefore, 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.