

C O P y

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 366

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES)	Case No. 3
and)	Award No. 3
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 failing to allow an additional one hour's pay at their respective pro rata rates of pay for Foreman P. M. Chambers; Assistant Foreman S. R. Hernandez and Marcos Mesa; Laborers Pablo Arispe, S. Carrillo, M. Dominguez, J. J. Hernandez, F. G. Lujan, G. Terrasaz, S. Vasquez, A. Villarreal, B. Alvarez, A. Coronado, B. Hernandez and I. Perez; on each of their work days beginning November 5, 1959 and continuing on each work day subsequent thereafter.
2. That the Claimants named in Part 1 of this claim be now reimbursed for one hour's pay at their respective pro rata rates of pay for each work day beginning November 5, 1959 and continuing subsequently thereafter until this violation of Agreement ceases.

FINDINGS:

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employe 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.

For the reason advanced in Case No. 1 resulting in Award No. 1, this claim will be sustained.

AWARD:

Claim sustained.

(s) Thomas C. Begley

Thomas C. Begley, Impartial Chairman

(s) J. R. Russell - Dissenting

J. R. Russell, Carrier Member

(s) Arthur J. Cunningham

Arthur J. Cunningham, Brotherhood Member

Dated at Cleveland, Ohio, July 11, 1961.