

C O P Y

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 366

PARTIES TO DISPUTE:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES	}	Case No. 4
and		Award No. 4
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 Machine Operator J. J. Prause and Helper E. L. Harrison, the operator and helper, on Ballast Discer No. 3 San Antonio Division, an additional one hour's pay at their respective pro rata rates of pay on December 10-11-14-15-16-17 and 18, 1959.
2. That Claimants Machine Operator J. J. Prause and Helper E. L. Harrison be now compensated for one hour's pay at their respective pro rata rates for each and every day this violation of the Agreement occurred as claimed in Part 1.

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.

For the reasons 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.