

AWARD NO. 1
Docket No.1

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
versus
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT

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

- (1) The Carrier violated the effective Agreement by failing to assign B&B employee to the painting of shelving in the store room at Palestine, Texas, on August 7 and 8, 1957.
- (2) B&B Carpenter R. F. Woodard be compensated twelve (12) hours' pay at his respective pro rata rate account of this violation of the Agreement.

FINDINGS: It appears that on the dates mentioned in the claim a reclamation plant painter painted some bins or shelves located in the storeroom at the reclamation plant. Those bins or shelves had been constructed by employes in the reclamation plant and were not in any way attached or affixed to the building but remained movable.

Since the decisions of the Railway Board of Adjustment No. 2, work upon such bins or shelves has been considered to be within the scope of the Shop Crafts Agreement rather than the Maintenance of Way Agreement. That is still the proper rule and it should be noted that such holding is not inconsistent with the provisions of an agreement of September 15, 1941, referred to by the Employes, but which is not applicable on this part of the railroad.

AWARD: Claim denied.

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(s) Dudley E. Whiting
Dudley E. Whiting - Chairman

<u>(s) A. J. Cunningham</u>	<u>(s) G. W. Johnson</u>
A. J. Cunningham - Employe Member	G. W. Johnson - Carrier Member

St. Louis, Missouri
July 16, 1959