

SPECIAL BOARD OF ADJUSTMENT NO. 279

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES  
versus  
MISSOURI PACIFIC RAILROAD COMPANY

STATEMENT  
OF CLAIM:

Claim of the System Committee of the Brotherhood that:

- (1) The Carrier violated the effective Agreement on October 7, 1960, by abolishing all the monthly rated positions of blacksmiths, blacksmith helpers, electric welder and electric welder helpers on the Southern District.
- (2) All employes affected by this violation of the Agreement as per part 1 of this claim be now reimbursed for the difference in the pay they received at the hourly rate and what they should have received at the monthly rate commencing October 7, 1950, and continuing.

FINDINGS: Rule 17 provides that certain employes will be paid hourly or monthly rates. That provision does not restrict the option to the original establishment of the job and does not prohibit a subsequent change from one pay method to the other.

The Agreement provides separate hourly and monthly rates of pay and the provision for conversion of monthly rates to hourly rates is not applicable except to a monthly rated job. In this case, monthly rated jobs did not exist after October 7 and the hourly rate was applicable to the new hourly rated jobs established October 10, 1960.

AWARD: Claim denied.

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

(s) A. J. Cunningham  
A. J. Cunningham - Employe Member

(s) G. W. Johnson  
G. W. Johnson - Carrier Member

St. Louis, Missouri  
September 27, 1962  
File 247-3922