

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 Agreement by failing to provide Relief Foreman L. Bolton with an outfit car as is required by the effective Agreement during June of 1958.

(2) Relief Foreman L. Bolton be now compensated in the amount of \$103.80 which is for expenses incurred during June of 1958 on account of violation of the Agreement referred to in Part 1 of this Claim.

FINDINGS: By bulletin on May 14, 1958, the Carrier created a position of Relief Foreman on the Longview Subdivision and advertised it with outfit car. Claimant, who was displaced while on his vacation, displaced onto that relief job on May 19, the first day it was scheduled to work. He started work on the position at Kilgore and no outfit car was available there for him. He filed an expense claim for May, which was paid, and has filed this claim for expenses during June. He moved his headquarters to Jacksonville, effective June 23, where his outfit car was located, so any claim he had ended at that time.

The Carrier contends that it has been the practice for a Relief Foreman who wanted to use the outfit car to make request for the same, but it appears that Rule 11 $\frac{1}{2}$ (b) requires the Carrier to provide such a car for their use at the headquarters of the gang where service is performed or to allow the actual necessary expenses for board and lodging. There is no question but what once the car has been provided to the Relief Foreman, it is his responsibility to have the car moved from place to place as his work assignments change. However, the rule certainly requires the Carrier, when it establishes a relief position by bulletin, to make the car available at the headquarters where service is to be performed initially.

AWARD: Claim sustained to June 22, 1958, only.

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

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

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

St. Louis, Missouri
November 3, 1959