

AWARD NO. 70  
Docket No. 70

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 Roadway Machine Operator James E. Vaughan to the operation of a Ford Tractor AM-43 in connection with track work performed at Montrose, Arkansas, on January 2-7-8-9-12-13-14-15-16-20-22-23-27-28-29 and February 3, 1959.
- (2) Claimant Roadway Machine Operator James E. Vaughan be now compensated for 8 hours' pay on each of the dates referred to on account of this violation of the Agreement.

FINDINGS: The Ford tractor here involved is not a roadway machine within the scope or contemplation of the Agreement but is in the nature of a power tool or power equipment used to facilitate extra gang labor upon the dates mentioned in the claim. Under the circumstances there can be no valid claim by a roadway machine operator because of such operation.

AWARD: Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 279

(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  
September 7, 1962  
File E 247-3771