

AWARD NO. 71
DOCKET NO. 71

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 seniority rights of Motor Car Operator T. B. Bailey, when on March 31, 1959, it abolished the position of Motor Car Operator in B&B Gang No. 4, North Little Rock and assigned the work of such position to another junior employee.
- (2) That Claimant T. B. Bailey be restored to the position held by him previous to March 31, 1959, in Gang No. 4.

FINDINGS: Here it is shown that for some years prior to the abolishment of the position of Motor Car Operator in B&B Gang No. 4 at North Little Rock, a truck used by the gang was driven by a helper as well as the Motor Car Operator so the operation of a truck was not the exclusive work of the Motor Car Operator of this gang. In 1960, the Organization made a proposal regarding truck drivers in the B&B Department which was resolved by an agreement to continue to classify one mechanic as a Motor Car Operator in each Division B&B Gang except gangs assigned exclusively to terminals when no motor car is assigned to the gang. This situation falls within the exception in that agreement and serves to confirm the finding that it was not necessary for the Carrier to maintain the position of Motor Car Operator to drive a truck in this gang.

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 27, 1962
File 247-3773