

AWARD NO. 72  
Docket No. 72

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 Helper J. R. Brashear to work as a carpenter in the performance of certain trestle repair work during the period April 1, 1959, and continuing, when employees of another class were assigned to this work.
- (2) Carrier now compensate J. R. Brashear for the difference in pay between what he received as a B&B Helper and what he should have received as a Carpenter during the period April 1, 1959, and continuing, until this violation of Agreement referred to is discontinued.

FINDINGS: There is no work classification rule applicable to this situation and it appears that System Bridge Gang No. 1 has been used to perform concrete bridge work intermittently for 20 years. Under the circumstances we cannot find that the work here involved has been reserved exclusively to carpenters by the Agreement or by custom and practice.

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 247-3775