

AWARD NO. 78  
Docket No. 78

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 abolishing the position of Drawbridge Tender at New Augusta, Arkansas, as of July 31, 1959, and transferring the work of this class to employees holding no seniority as Bridge Tenders.
- (2) Bridge Tender J. D. Shields be now reimbursed for all wages lost account of this violation of Agreement referred to in part one of this claim.

FINDINGS: It appears that the bridge tender's position involved was abolished after the United States engineers changed their regulations to provide for 24 to 48 hours' notice of opening the drawbridge. The evidence does not show that enough work remained to justify a full-time position of drawbridge tender under the Third Division awards dealing with the reestablishment of positions. The seniority rules give consideration to employees for positions, and since there is no justification for reestablishing the position, the claim must be denied.

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 F 247-3796