

AWARD NO. 86  
Docket No. 86

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 effective Agreement by failing to allow senior Trackman Boyd Norris to displace his junior Trackman John Wiley, November 9, 1959, on Section No. 1, Freeport Terminal, Freeport, Texas, on the assignment of operator of the Roadmaster's motor car.
- (2) The Carrier shall now reimburse Claimant Boyd Norris for the difference in pay he received as Trackman and what he should have received as a Motor Car Operator beginning November 9, 1959, and continuing until this violation of the Agreement ceases.

FINDINGS: The position of Motor Car Operator covering the operation of the Roadmaster's motor car is not listed under the scope of the Agreement and the practice has been for Roadmasters to select their driver without regard for seniority; thus it is obvious that such positions have not been subject to the exercise of seniority and there is no basis for the claim.

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 BMWE 32-59 cc 34-59, 35-59  
36-59, 37-59, 38-59