

SPECIAL BOARD OF ADJUSTMENT NO. 280

Award No. 123
Case No. 202

PARTIES TO DISPUTE:

St. Louis Southwestern Railway

and

Brotherhood of Maintenance of Way Employees

STATEMENT OF CLAIM:

- "I. Carrier violated the Maintenance of Way Agreement, especially but not limited to Rule 2 - Seniority and Rule 5 - Promotions and Transfers, when it assigned junior employee to position as track liner operator under Advertisement no. 7-5 on Extra Gang No. 22, trailer headquarters with disregard to seniority.
- "II. Laborer S. J. Marks be allowed the difference between laborer's rate of \$4.4267 per hour and machine operator's rate of pay of \$887.73 per month.
- "III. Laborer S. J. Marks be allowed seniority as machine operator beginning on August 26, 1974. This is a continuing violation and we request payment from date of August 26, 1974 until date Mr. Marks is assigned to his rightful position."

FINDINGS:

The issue to be decided in this dispute is identical to that in our Award No. 122, and the Board is governed accordingly.

AWARD

Claim sustained. Carrier is required to compensate Claimant within 30 days of the date of this award.

(Cont'd)

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W. R. Kumar
Neutral Member

C. B. Dwyer
Carrier Member

M. A. Christie
Organization Member

Sept 5, 1979
Date