

AWARD NO. 29  
Case No. 30

SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES ) The Brotherhood of Maintenance of Way Employees  
TO )  
DISPUTE ) St. Louis Southwestern Railway Company

STATEMENT OF CLAIM:

Claim of the System Committee of the Brotherhood that:

1. Carrier violated the effective Agreement by assigning Extra Gang Laborer E. Byrd, Southern Division employee to work on Extra Gang No. 4, Foreman Ray Watkins, Northern Division during the period February 10 to 16, inclusive, 1959, instead of assigning Extra Gang Laborer Nathaniel Saine, who holds seniority rights on the Northern Division.

2. That Claimant Extra Gang Laborer Nathaniel Saine be now paid a total number of hours as was worked by Extra Gang Laborer E. Byrd on the dates referred to in Part 1 of this claim.

FINDINGS:

Extra Gang Laborer E. Byrd, who held seniority on the Southern seniority District, has no rights to services on the Northern seniority District. Therefore, the Board finds that the carrier violated the effective Agreement.

However, due to the fact that the claimant Extra Gang Laborer, Nathaniel Saine, who holds seniority rights on the Northern Division, was working at Pine Bluff February 10 to 16 inclusive 1959, as an Extra Gang Laborer, his monetary claim will be denied.

AWARD: Claim denied.

(s) Thomas C. Begley  
Thomas C. Begley, Chairman

(s) A. J. Cunningham  
A. J. Cunningham, Employee Member

(s) M. L. Erwin  
M. L. Erwin, Carrier Member

Tyler, Texas  
Dated: July 27, 1960.