

(C O P Y)

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees)	Case No. 9
and)	Award No. 30
St. Louis Southwestern Railway Company)	

STATEMENT OF CLAIM:

1. That the Carrier violated the effective agreement when on February 10, 1958, it discontinued the position of regularly assigned laborer C. Anthony at Texarkana, Texas, performing clean-up work and unilaterally assigned it to mechanical forces.
2. That the Carrier shall be required to restore the position and work which was improperly removed from the scope of the current Maintenance of Way Agreement to the employee covered thereby, and that furloughed Section Laborer J. L. Johnson shall be paid at the respective rate of pay of the position for eight hours each work day, beginning February 10, 1958, and until the condition is corrected.

FINDINGS:

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and that this Board is duly constituted by agreement and has jurisdiction of the parties and of the subject matter.

In February of 1953, the shop was relocated at a point near or close to the point in question. When the shop was relocated at this point, the work complained of was work that could properly be assigned to other than Maintenance of Way forces. This 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

Dated at Tyler, Texas
November 19, 1962