

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 280

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees)	)	Case No. 83
and	)	
St. Louis Southwestern Railway Company	)	Award No. 84

STATEMENT OF CLAIM:

1. The Carrier violated the effective Agreement between the Carrier and the Brotherhood of Maintenance of Way Employees when it failed and refused to recall furloughed Carpenter E. H. Reeves, 212 Maple Street, Brinkley, Arkansas, to perform carpenter work in lieu of using bridge and building employees to perform carpenter's work at Brinkley and Stuttgart, Arkansas.

2. The Carrier shall be required to compensate Claimant E. H. Reeves for 32 hours at Carpenter No. 1 rate of pay for carpenter work performed on platform at Brinkley, Arkansas, by two bridgemen on Foreman Beardsley's B&B Gang Number 3, during the first week of July, 1963, or thereabout.

3. The Carrier shall be required to compensate Claimant Reeves for 120 hours at Carpenter No. 1 rate of pay for carpenter's work performed by five bridgemen on Foreman Beardsley's B&B Gang Number 3, rebuilding and repairing platform at station at Stuttgart, Arkansas, beginning on or about July 15, 1963.

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.

From the evidence of record the Board finds that the Carrier has shown that the Bridge Gang has rebuilt unloading platforms when they used creosoted timber on 27 dates before claim date and seven dates after claim date. It was not shown conclusively what kind of platforms were made on claim dates. This claim will be remanded back to the parties to ascertain by a joint check what type of platforms were made on claim dates and whether or not this work is carpenter work or Bridge Gang work.

AWARD:

Claim disposed of in accordance with findings.

/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

Issued at Cleveland, Ohio
this 3rd day of April, 1968