

AWARD NO. 52
CASE NO. 54

SPECIAL BOARD OF ADJUSTMENT NO. 285

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
vs.
READING COMPANY

STATEMENT OF CLAIM:

1. The Carrier violated the effective Agreement when it assigned or otherwise permitted a Section Laborer to set and re-set and inspect route of various switches at Diamond Street, Philadelphia, Pa., on certain dates in June, July and August 1963, in lieu of calling out the Foreman.
2. Section Foreman A. E. Palumbo be now compensated six hours at his time and one-half rate of pay for the Carrier's violation of the Agreement on the following dates: June 30, July 1, 2, 24, 25, 28, 30, 31, August 1, 2, 6, 12 and 13, 1963.
3. Acting Section Foreman T. Morgan be now compensated 6 hours at his time and one-half rate of pay for the Carrier's violation of the Agreement on each of the following dates: July 7, 8, 9, 10, 11, and 15, 1963.

OPINION OF BOARD:

The work of protecting the operation of the switches in the interlocking plant here involved was the responsibility of the Signal Maintainer. His use of the Section Laborer, under the circumstances here existing, to pull and reset the track spikes in order to allow train movements through this interlocking was not a violation of the M. of W. Agreement. This work performance of the Section Laborer was not track work as generally recognized and defined under said Agreement.

AWARD: Claim denied.

/s/ Lloyd H. Bailer
Lloyd H. Bailer, Chairman

/s/ A. J. Cunningham
A. J. Cunningham, Employee Member

/s/ V. W. Bigelow
V. W. Bigelow, Carrier Member

Philadelphia, Pa.
June 28, 1966.