

SPECIAL BOARD OF ADJUSTMENT NO. 287

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES  
and  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 13

STATEMENT

OF CLAIM: "Claim of the System Committee of the Brotherhood that:

(1) The Carrier violated the Agreement, when it assigned other than B&B forces to paint certain railroad structures at Washington, Indiana, on October 8, 1955;

(2) B&B Mechanic George R. Taylor be allowed four (4) hours' straight time pay account of the violation referred to in Part (1) of this claim."

FINDINGS: Involved here is the painting of two large tool boxes in Carrier's Coach Shop. Organization concedes that they are not attached to the building. They rest on the floor.

Organization relies on Award 8093. The tool boxes, or lockers, here involved cannot be classified as material bins or tanks.

And on the basis of the facts here, these lockers cannot be considered to be railroad structures within the meaning and intent of Rule 1.

It awards to B&B forces the "x x x painting x x x required in the construction and maintenance of railroad structures. x x x"

The claim will, therefore, be denied.

AWARD

Claim denied.

(s) Edward A. Lynch  
Chairman

(s) A. J. Cunningham  
Employee Member

(s) T. S. Woods  
Carrier Member

Dated at Baltimore, Md., this  
28th day of March, 1960.