

SPECIAL BOARD OF ADJUSTMENT NO. 293

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
Versus
THE CENTRAL RAILROAD COMPANY OF NEW JERSEY

STATEMENT OF CLAIM:

1. The Carrier violated the effective Agreement on September 29, 1960 by assigning or otherwise permitting employees other than those covered by the Scope of this Agreement to perform Track Laborers' work at Central Avenue, Spring Lake, N. J.
2. That the regularly assigned members of Section Gang No. 4, Point Pleasant, N. J., now be reimbursed for an equivalent amount of hours as was consumed by these Non-Scope employees in performing this work referred to on September 29, 1960.

OPINION OF BOARD:

The Carrier's Signal Department employees were engaged in installing automatic crossing gates at the Central Avenue grade crossing, Spring Lake, N.J. On the date stated in the claim these employees dug and backfilled a ditch 40 feet long between the two main tracks for the purpose of laying cable to be used in connection with the installation of the automatic gates. The Maintenance of Way Organization contends that this digging and backfilling constituted work accruing to Section Laborers under the scope of their Agreement.

The evidence establishes that the disputed work was performed in conformance with Exhibit No. 4 (dated October 20, 1949) of the M. of W. Agreement. Thus the claim in behalf of Section Laborers covered by this Agreement is without merit.

AWARD: Claim denied.

/s/ Lloyd H. Bailer
Lloyd H. Bailer, Neutral Member

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

/s/ C. S. Strang
C. S. Strang, Carrier Member

Jersey City, N. J.
May 31, 1966