

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 by failing to call for snow duty on Section No. 5, Port Reading, N. J., on December 17, 1960, eight furloughed track laborers who had filed for extra and relief work in accordance with the provisions of the Agreement.
2. The eight senior furloughed track laborers who had filed for extra and relief work be now reimbursed for an amount of time equivalent to that consumed by the eight Shop Crafts carmen who were used to perform this snow removal work.

OPINION OF BOARD:

A severe snow storm which began on December 11, 1960 necessitated the calling out of the Carrier's forces for the purpose of removing snow from tracks and switches. This snow removal work was continued for several days. All of the men contacted on the Port Reading Section in the M. of W. forces refused to work on December 17, 1960 because they had been exhausted from continuous snow removal duty. Accordingly, on the subject date the Carrier assigned several Car Shop employees who had augmented the M. of W. employees in this territory on December 15 and 16, and who had not been on continuous duty from December 11 as had the M. of W. forces. The subject Carmen commenced work at their regular starting time on the morning of December 17, 1960. In support of the confronting claim, it is contended that the Carrier should have used furloughed track laborers for the snow removal work performed on December 17, 1960 by Car Shop employees.

The Carrier was obligated to call furloughed track laborers for the involved work, if said laborers had made themselves available in accordance with Agreement Exhibit Nos. 7 and 8. However, no evidence has been presented to sustain the contention that these employees made themselves available in accordance with the aforementioned exhibits. The claim therefore must be denied.

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