

AWARD NO. 5
CASE NO. MW-166

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 assign B&B Department House Carpenters to build and install a new stairway and wooden hand rails between the Blacksmith Shop and the Storeroom at the Communipaw Engine Terminal on December 27, 1957.
- (2) The B&B Department House Carpenters of the Central Division be paid at their respective hourly rates for an equal number of hours as was worked by the Carmen in the performance of this work referred to in Part (1) of this claim.

OPINION OF BOARD:

The work complained of in this case was the erection by Carmen of a temporary wooden staircase and hand railing at the Communipaw Engine Terminal. Carpenters covered by the subject agreement subsequently erected a permanent stairway at the involved location.

The evidence discloses that Carmen were used to make an emergency minor repair in the subject instance. We therefore conclude that the Agreement was not violated.

A W A R D

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.
November 30, 1959