

C O P Y

PROCEEDINGS BEFORE SPECIAL BOARD OF ADJUSTMENT NO. 366

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees)	Case No. 23
and)	Award No. 23
Southern Pacific Lines in Texas and Louisiana)	
(Texas and New Orleans Railroad Company))	

STATEMENT OF CLAIM:

Claim of the System Committee of the Brotherhood that:

1. The Carrier violated the effective Agreement by assigning employees not covered by the Scope of the Agreement to the operation of Jack Tamper X-15 at Navasota on September 17, 1960.

2. That Division Roadway Machine Operator Billy D. Sims, Dallas-Austin Division, be now compensated for 8 hours pay at time and one-half of his respective rate of pay for Saturday, September 17, 1960, account of the violation of the Agreement referred to in Part 1 of this claim.

FINDINGS:

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and that this Board is duly constituted by agreement and has jurisdiction of the parties and of the subject matter.

For the reasons advanced in Case No. 21 resulting in Award No. 21, this claim will be denied.

AWARD: Claim denied.

(s) Thomas C. Begley
Thomas C. Begley, Chairman

(s) A. J. Cunningham
A. J. Cunningham, Employee Member

(s) L. C. Albert
L. C. Albert, Carrier Member

Houston, Texas
December 17, 1962.