

SPECIAL BOARD OF ADJUSTMENT NO. 488

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

AWARD IN DOCKET NO. 25

STATEMENT  
OF CLAIM:

"Claim of the System Committee of the Brotherhood that:

(1) The Carrier violated the effective agreement by assigning motor car repairman Martin Cramer instead of calling a trackman to sweep snow from the switches at the interlocking plant at Outville, Ohio, from midnight December 20, 1960 until 7:00 a.m., December 21, 1960; and

(2) Furloughed Trackman Brook Cornell be now compensated seven hours at his respective pro rata rate account of this violation of the Agreement."

FINDINGS:

Because this record reveals that at 4:00 p.m., a heavy snow storm was already in progress, Carrier had an opportunity and an obligation to forecast its requirements in the light of the continuing snow. It chose to wait until eight hours later and then call an employee covered by the shop crafts agreement to perform work normally handled by Maintenance of Way Employees. Accordingly, a sustaining award is required.

AWARD

Claim sustained.

(s) Edward A. Lynch

Edward A. Lynch,  
Chairman

(s) A. J. Cunningham

A. J. Cunningham, Employee Member

(s) T. S. Woods

T. S. Woods, Carrier Member

Dated at Baltimore, Maryland,  
this 7th day of May, 1963.