

SPECIAL BOARD OF ADJUSTMENT NO. 488

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

AWARD IN DOCKET NO. 26

STATEMENT
OF CLAIM:

"Claim of the System Committee of the Brotherhood that:

(1) The Carrier violated the effective agreement by assigning shop craft forces to make repairs to the feeder plate on the number one hopper at the Curtis Bay Ore Pier on March 3, 1961.

(2) Carpenter Foreman Homer Kroll and Carpenter Welder John Blair be now compensated for four hours pay at their respective pro rata rates account of this violation of the agreement."

FINDINGS: In the circumstances here present, the Carrier had an emergency breakdown of its ore unloading equipment. It had the right to make the necessary emergency repairs with the men at hand. No B&B men were present or assigned at the time of the breakdown. Permanent repairs were made by the B&B forces during their next regular tour of duty. Carrier's action did not violate the agreement.

A W A R D

Claim denied.

(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.