

SPECIAL BOARD OF ADJUSTMENT NO. 605

PARTIES) Seaboard Air Line Railroad Company
TO THE) and
DISPUTE) Brotherhood of Maintenance of Way Employees

QUESTIONS
AT ISSUE:

1. Should the names of the transferred crossing watchmen from Subdepartment No. 7 be placed on the bottom of the seniority roster of protected employees holding seniority as laborers in Subdepartment No. 1 in the seniority district, as proposed by the Carrier in Item 3 of its proposed Agreement, or should their names be shown on the bottom of the roster of all employees holding seniority as laborers in Subdepartment No. 1 in the seniority district, as proposed by the Organization in Item 3 of its proposed Agreement?
2. Should the Implementing Agreement provide that, "An employee used by the Carrier to protect any extra or relief assignment as described in Article II, Section 1 and 3 of the February 7, 1965 Mediation Agreement, will be paid travel time, and actual traveling, boarding and lodging expenses", as proposed by the Organization in Item 6 of its proposed Agreement, or should the payment be confined to "traveling expenses" as specifically and automatically provided in Section 3 of Article II?


OPINION OF BOARD: With respect to Question No. 1, other awards deal with the same issue. Since the Subdepartment No. 1 seniority roster shows no unprotected employees with more seniority than the employees to be transferred, there is no need to dovetail. Carrier's proposed Item 3 is therefore upheld.

With respect to the second question, the February 7, 1965 Agreement, Article II, Section 3, makes no provision for the travel time and living expenses sought by the Employees. There is no reason to believe that the parties meant to do

more for employees used as vacation relief, holiday replacement, etc., than the Agreement specified: "Traveling expenses will be paid in instances where they are allowed under existing rules..." To require more than that would add benefits not agreed upon by the parties.

A W A R D

1. The names of the transferred crossing watchmen from Subdepartment No. 7 shall be placed on the bottom of the seniority roster of protected employees holding seniority in Subdepartment No. 1 in the seniority district, as proposed by the Carrier in Item 3 of its proposed Agreement.
2. Employees used to protect extra or relief assignments are not entitled to paid travel time or to expenses other than the traveling expenses specified in other Agreements or Awards.


Milton Friedman, Referee

Dated: Washington, D. C.
June 9, 1969