

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION****Award No. 31617
Docket No. MW-31171
96-3-93-3-173**

The Third Division consisted of the regular members and in addition Referee Martin H. Malin when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way Employees
(CSX Transportation, Inc. (former
(Seaboard System Railroad)

STATEMENT OF CLAIM:

"Claim of the System Committee of the Brotherhood that:

1. The Carrier violated the Agreement when it assigned or otherwise permitted eight (8) employees of an outside concern (Steel Processing Company) to perform Maintenance of Way work (dismantling side track) at Greenwood, South Carolina on December 16, 17, 18 and 19, 1991 [System File WJC-92-06/12(92-563) SSY].

2. The Carrier also violated Rule 2, Section 1 when it failed to confer with the General Chairman and reach an understanding prior to contracting out the work in question.

3. As a consequence of the violations referred to in Parts (1) and/or (2) above, Maintenance of Way employees* listed below shall each be allowed pay at the prevailing rate of track laborers (\$12.16) for an equal proportionate share of the three hundred twenty (320) man-hours expended by the contractor's employees performing the subject work.

*	C. Griffin	J. D. Colman	G. D. Boyd, Jr.
	D. Cole, Jr.	H. B. Dawkins	W. H. Scoggins
	J. Brown	J. Beasley	R. Jeter"
	B. Roundtree	J. E. Glenn	
	W. J. Christopher	W. L. Tucker	
	R. G. Taylor	B. Dawkins, Jr.	
	R. Eaves	P. Evens	