

SPECIAL BOARD OF ADJUSTMENT (P.L. BOARD) No. 39

Award No. 20
Case No. MW-235

PARTIES TO THE DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Spokane, Portland and Seattle Railway Company (System Lines)

STATEMENT OF CLAIM: "Claim of the System Committee of the
Brotherhood that:

- (1) The Carrier violated the Agreement when, without benefit of mutual agreement between the General Chairman and designated Representative of Management, it assigned or otherwise permitted outside parties to dismantle and remove the freight warehouse from operating property at Vancouver, Washington.
- (2) B&B employes D. Wright, J. Miller, W. Eriksen, C. Jones, W. Smith, G. Ditmer, L. Kramer, O. Larson, O. Arp, H. Mitchell, C. Line, A. West, W. Cooke, P. Hoffert and H. Mason each be allowed pay at their respective straight-time rates for an equal proportionate share of the total number of man hours consumed by outside forces in performing the work referred to in Part (1) of this claim."

FINDINGS:

The Board, upon the whole record and all the evidence, finds that:

The rules relied upon, when applied to the facts of record, do not support an affirmative award. See Award 10826.

AWARD: Claim denied.


J. P. Wilson, Employee Member


H. J. Tierney, Carrier Member

Portland, Oregon
August 10, 1967