

PUBLIC LAW BOARD NO. 6249

PARTIES)
 TO)
DISPUTE)
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
UNION PACIFIC RAILROAD COMPANY (FORMER SOUTHERN
PACIFIC TRANSPORTATION COMPANY (EASTERN LINES))

STATEMENT OF CLAIM

Claim of the System Committee of the Brotherhood that:

1. The Agreement was violated when the Carrier assigned outside forces (North American Railway Service and Benton & Brown, Inc.) to perform Bridge and Building and Roadway Machine Sub-department work (make repairs, remove and replace bridge ties) on the railroad drawbridge in the vicinity of Mile Post 95.0, Calumet, Louisiana beginning December 26, 1996 through January 11, 1997 (System File MW-97-85/1048346 SPE).

2. The Agreement was further violated when the Carrier failed to furnish the General Chairman with advance written notice of its intent to contract out the work described in Part (1) above in accordance with Article 36.

4. As a consequence of the violations referred to in Parts (1) and/or (2) above, Messrs. A. J. Dalfrey, R. Alex, L. Huval, D. P. Barras, M. J. Boney, H. G. Olivier, R. W. Leger and M. E. Hanks shall

each be allowed eighty (80) hours' pay at their respective straight time rates and one hundred eighteen (118) hours' pay at their respective time and one-half rates.

OPINION OF BOARD

Without prior notice to the Organization, the Carrier contracted the work described in the claim to outside forces.

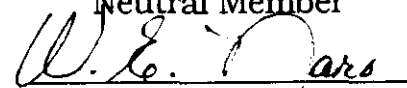
The claim in this case raises similar issues decided in *Award 28* of this Board. For reasons fully discussed in *Award 28*, this claim shall be sustained with the same remedy.

AWARD

Claim sustained in accord with the opinion.



Edwin H. Benn
Neutral Member



Carrier Member



Organization Member

Dated: May 2, 2002