

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

Award No. 9  
Case No. MW-216

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 it assigned the work of dismantling two (2) buildings at Eugene, Oregon to outside forces without benefit of negotiation and agreement with the General Chairman.

(2) B&B employes H. Schechla, J. Wheeler, J. Wallace, V. Ruch, F. Williams, J. Jurgens, Machine Operators W. Howell and D. Legore 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 12918.

AWARD: Claim denied.

  
J. P. Wilson, Employee Member

  
H. J. Tierney, Carrier Member

Portland, Oregon  
August 10, 1967