

Special Board of Adjustment No. 1016

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees

and

Consolidated Rail Corporation

STATEMENT OF CLAIM:

- "(1) The Agreement was violated when, beginning December 24, 1986, the Carrier used outside forces to install culverts at Fisher Road in Columbus, Ohio (System Dockets CR-2452, CR-2453, CR-2500, CR-2501, and CR-2502).
- (2) The Agreement was further violated when the Carrier did not give the General Chairman fifteen (15) days of advance notification of its plan to assign said work to outside forces.
- (3) Because of the aforesaid violations, Messrs. S.A. McDade, J. K. Lafferty and R. N. Williams shall each be allowed three hundred and thirty-six (336) hours of pay at the rate of thirteen dollars and forty-seven cents (\$13.47) per hour and Messrs. C. T. Julian and E. A. Sellers shall each be allowed three hundred and thirty-six (336) hours of pay at the rate of twelve dollars and eighty-four cents (\$12.84) per hour."

FINDINGS:

This companion case of Award No. 28, the lead case, and Awards 29 and 30, concerns the claim that Carrier used an outside firm to install culverts at Fisher Road in Columbus, Ohio. The work was a relatively small part of a \$13.5 million project to replace Carrier facilities that were displaced by construction of an interstate highway. The

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awards mentioned above dealt with other portions of the project. As in those other cases, all claimants were fully employed throughout the claim period.

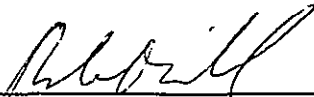
What we had to say in Awards No. 28, 29, and 30 is equally applicable here. On that basis, this claim will be denied. In no measure is that decision based on Carrier's contention, unsupported as it is by evidence, that the work required special skills and equipment.

AWARD: Claim denied.

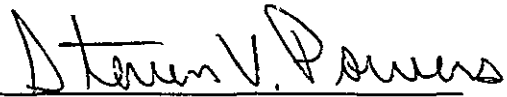
Adopted at Philadelphia, PA July 28, 1989



Harold Weston, Chairman



Carrier Member



Employee Member