

Special Board of Adjustment No. 1016

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees

and

Consolidated Rail Corporation

STATEMENT OF CLAIM:

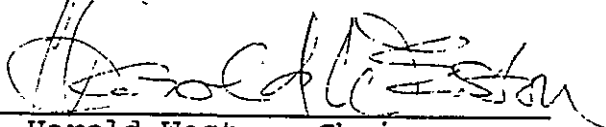
- "(1) The Agreement was violated when the Carrier assigned outside forces (R.G. Smith, General Contractor) to construct offices in buildings at the Trail-Van Intermodal Facility at Buckeye Yard, Columbus Ohio from December 2, 1985 through January 8, 1986 (System Dockets CR-2441 an CR-2442).
- (2) As a consequence of the aforesaid violation, B&B Foremen J. Lafferty and R. N. Williams shall each be allowed two hundred eight (208) hours of pay at their respective straight time rates."


FINDINGS:


This is another of the contracting out of work cases that resulted from the project to replace Carrier facilities in East Columbus, Ohio, that were displaced by the construction of an interstate highway. No new factor has been presented in the present case that was not before this Board when it handed down Awards No. 28 (the lead case), 29, 30, and 31, all concerning different types of work performed in the project. No valid basis is perceived for following a different course here.

AWARD: Claim denied.

Adopted at Philadelphia, PA July 28, 1989


Harold Weston, Chairman


Carrier Member


Steven V. Powers
Employee Member