

Special Board of Adjustment No. 1016

PARTIES TO DISPUTE:

Brotherhood of Maintenance of Way Employees

and

Consolidated Rail Corporation

STATEMENT OF CLAIM:

- "(1) The Carrier violated the Agreement when it assigned outside forces to construct offices, repair shop buildings and install chain link fence at the Trail-Van Intermodal Facility at Buckeye Yard in Hilliard, Ohio beginning April 7, 1986 (System Dockets CR-2652 and CR-2653).
- (2) As a consequence of the aforesaid violation, B&B Foremen R. N. Williams shall receive six hundred sixteen (616) hours of pay at his straight time rate."

FINDINGS:

No material factor has been presented in this case that distinguishes it from the cases considered in Awards 28, 29, or 30. We are not persuaded that a different result should be reached here. The claim will be denied.

AWARD: Claim denied.

Adopted at Philadelphia, PA *July 28*, 1989

*Harold Weston*  
Harold Weston, Chairman

*[Signature]*  
Carrier Member

*Steven V. Powers*  
Employee Member