

SPECIAL BOARD OF ADJUSTMENT NO. 1048

Award NO. 93

Parties to Dispute:

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES

AND

Norfolk Southern Railway

STATEMENT OF CLAIM:

Claim on behalf of R. D. Hill, R. D. Cash, Jr., J. A. Wilson, R. A. Layne, A. L. Wilson and R. H. Reynolds requesting that they each be paid 288 hours straight time and 72 hours overtime in that, from October 12, 1997 through December 2, 1997, a contractor was used to repair substructure of bridge at mile post V-200.0, in the vicinity of Altavista, Virginia.

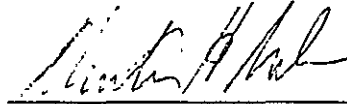
[Carrier file MW-ROAN-97-156-BB-696]

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

AWARD

After thoroughly reviewing and considering the transcript and the parties' presentations, the Board finds that the claim should be disposed of as follows:

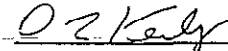
The claim arises out of Carrier's subcontracting of bridge repair work. The record reflects that, although Carrier gave the General Chairman notice of its intent to subcontract the work, the notice did not include the replacement of defective steel shims. Accordingly, we will order Carrier to compensate each Claimant eight hours pay at the straight time rate for the portion of the work not encompassed within the notice.



M. H. Malin



R. A. Lau
Organization Member



D. L. Kerby
Carrier Member

Issued at Chicago, IL on December 21, 1999