

SPECIAL BOARD OF ADJUSTMENT NO. 488

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
and
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 31

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood that:

(1) The Carrier violated the effective agreement by assigning to a contractor the work of demolishing and removing the train shed on the lower level at Camden Station, Baltimore, during the period beginning September 6 and ending September 30, 1961.

(2) Furloughed B&B Department employees, Baltimore Division, namely, Leo Kaminski, William B. Harris, Denver I. Adams, Earl E. Decker, William P. Doty and William C. Peregoy be now compensated for twenty-five and one-third hours each, or a total of 152 hours account of this referred-to violation of the Agreement."

FINDINGS: Several facts are clearly evident in this record:

1. Carrier had the right to determine it no longer required the lower level train shed at Camden Station, Baltimore.
2. Carrier had the right to sell the train shed and it did sell it to a salvage dealer, for which it received a cash payment.
3. Title to the train shed then vested in the purchaser, who had every right to demolish it, and remove the salvageable material and the debris in whatever manner he chose.

For these three reasons, a denial award will be made.

AWARD

Claim denied.

(s) Edward A. Lynch

Edward A. Lynch, Chairman

(s) A. J. Cunningham

A. J. Cunningham, Employee Member

(s) T. S. Woods

T. S. Woods, Carrier Member

Dated at Baltimore, Maryland,
this 7th day of May, 1963.