

SPECIAL BOARD OF ADJUSTMENT NO. 498

PARTIES: BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

and

GREAT NORTHERN RAILWAY COMPANY

AWARD IN DOCKET NO. 13

STATEMENT OF CLAIM: The claim in dispute has been identified by the Organization as follows:

"Claim of the System Committee that:

1. The Carrier violated the effective Agreement in assigning the work of repairing and overhauling the motors of three of the Carrier's Roadway Machines to Ray's Auto Parts at Duluth, Minnesota, during the month of January 1961.

2. That the following listed employes of the Carrier's Lines East Maintenance of Way Roadway Equipment Maintenance and Repair Shop, located at Superior, Wisconsin be now compensated for a proportionate share of the three hundred and sixty-nine dollars (\$369.00) expended by the Carrier in having this referred-to work performed by outside parties. These claimants are as follows: Clarence Anderson, Albert E. Carlson, Carl Carlson, John During, Herbert Eckman, Victor Erickson, Wilton Hendrickson, Walter Johns, Bernard Johnson, Arthur Lindberg, Sidney H. Smith, John Stusiak, James Srur, Walter Thielman, Lars Thorson and Peter Wolf."

FINDINGS: The Company has insisted from the start that the repairs involved required special equipment not possessed by the roadway repair shop. The employes never refuted such assertion until their oral argument before this Board. This is a matter which should have been discussed and determined in the handling on the property.

Our discussion in Item No. 11 regarding the performance of work during standard hours as comprehended by the Mediation Agreement of October 11, 1933 is equally applicable here.

AWARD: Claim denied.

Dated at St. Paul, Minn. this 26th day of November, 1963.

(s) Dudley E. Whiting  
Dudley E. Whiting, Referee

(s) A. J. Cunningham  
Organization Member

(s) T. C. DeButts  
Carrier Member