

S.B.A. NO. 570
AWARD NO. 489
CASE NO. 573

SPECIAL BOARD OF ADJUSTMENT NO. 570

ESTABLISHED UNDER

AGREEMENT OF SEPTEMBER 25, 1964

Chicago, Illinois - JUNE 24, 1980

PARTIES
TO
DISPUTE:

International Brotherhood of Electrical Workers
System Federation No. 1, Railway Employees' Department (AFL-CIO)

v.

Consolidated Rail Corporation

STATEMENT
OF
CLAIM:

1. That the Consolidated Rail Corporation (Conrail) violated the Controlling Agreement of System Federation No. 54, the Mediation Agreement of September 25, 1964, Article II, Sections 1, 2, and 3 when it improperly contracted out the work of the electrical craft, as outlined in Rule 114, to an outside concern; the work to be done at Avon Yard in Indiana.
2. That, accordingly, the Carrier be ordered to compensate Electricians C. Kilburn Man. #647425, W. Liesure Man. #681688, and R. Poole Man. #760111 the amount of money that they could have earned had they not been deprived of their contractual rights to perform the work granted to the outside contractor.

FINDINGS: Carrier notified the general chairman that it intended to subcontract the construction of a 36' & 24' addition to the diesel house at Avon Yard, Indiana. The total cost of labor construction was \$35,000, with an estimated \$1,000 for installation of necessary lighting. Petitioner alleges that this contracting out was in violation of the September 25, 1964 agreement. Carrier alleges that petitioner's claim was filed in an untimely manner and that it is not required to piecemeal a construction contract of the type involved here.

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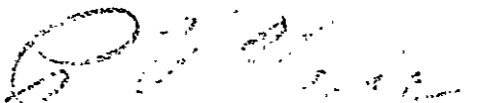
In Award No. 488, this Board addressed the identical issue, involving the same carrier and the same petitioner. We see no reason to again restate our position in this award. Our decisions on timeliness and on the piecemeal issue apply to this case, just as they did in Award No. 488.

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the petitioner should not be made. The claim is disposed of as set forth in the foregoing award.

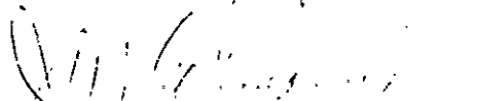
AWARD: Claim denied.

Adopted at Chicago, Illinois - June 24, 1980

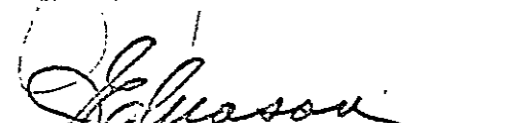

RODNEY E. DENNIS - NEUTRAL MEMBER


CARRIER MEMBER


LABOR MEMBER


CARRIER MEMBER


LABOR MEMBER


CARRIER MEMBER


LABOR MEMBER