

NATIONAL RAILROAD ADJUSTMENT BOARD
Second Division

PARTIES TO DISPUTE:

SYSTEM FEDERATION NO. 6, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. OF L. (SHEET METAL WORKERS)
THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY
COMPANY

THE CHICAGO, ROCK ISLAND AND GULF RAILWAY COMPANY
(FRANK O. LOWDEN, JAMES E. GORMAN, JOSEPH B. FLEMING,
TRUSTEES)

DISPUTE: CLAIM OF EMPLOYEES.—Sheet metal workers shall perform the work of making, applying, and repairing of steam coils and drain pipes to oil tank cars.

JOINT STATEMENT OF FACTS.—At present, carmen are performing the work of making, applying, and repairing of steam coils and drain pipes to oil tank cars.

POSITION OF EMPLOYEES.—The question of performing the work of making, applying, and repairing of steam coils and drain pipes originated at Dalhart, Texas, and it has developed that this class of work is also being done at El Reno, Okla., and Shawnee, Okla., which work at these points at the present time is performed by second class carmen, which is not in accordance with the rules of our working agreement and past practices under a standard organization, as all pipe work on maintenance of equipment is sheet metal workers' work except pipe work in connection with air brake equipment on freight car work, the present sheet metal workers' classification Rule No. 84 reads as follows:

"Sheet metal workers' work, including regular, special and helper apprentices, shall consist of tinsmithing, coppersmithing, and pipe fitting on locomotives and tenders, commercial motor cars and on passenger equipment, and power house at Silvis, erecting, assembling, installing and maintaining parts made of sheet copper, brass, tin, zinc, white metal, lead (except where done in connection with electricians' work), black, pickled and galvanized iron; bending and fitting of pipes, brazing, soldering and tinning in connection with sheet metal workers' work.

"Electric and oxyacetylene welding, and operating cutting torch, on all work generally recognized as sheet metal workers' work, *and all other work recognized as sheet metal workers' work.*

"On running repairs, other mechanics than sheet metal workers may disconnect and connect any coupling or pipe connection necessary in the performance of their work."

While the work in question is not itemized in the above rule nor is it in any rule of a working agreement on any railroad and much work is done by the various crafts that is not itemized or clearly spelled out in the classification rules, therefore the underscored part of the second paragraph of Rule 84 was embodied in the last agreement and its intent and purposes is to cover all work that is not itemized or clearly spelled out that is generally recognized as a particular craft's work. The second class carmen classification Rule 93 reads as follows:

"Freight car wood and steel body building and repairing; applying and repairing air brake and signal equipment on passenger and freight cars; layerout, both steel and wood, air brake test rack operator, write-up men on repair tracks, millwright and saw filer of power saws; test and repairing triple valves; passenger car truck and platform repairing; applying and

metal workers, and such request would have been declined if made, as the management had no desire to increase its expenses by paying 81¢ per hour for such work which came under classification carrying 73¢ per hour rate. Also, in the employees' request for schedule revision in 1935, their proposed Rule No. 84 contained the phrase:

"and all other work *generally* recognized as sheet metal workers' work."

On objection of the management, the word "generally" was eliminated and the agreed to rule reads as now shown in the schedule:

"and all other work recognized as sheet metal workers' work."

the management's position being that this wording applied to practices on the Rock Island and not to practices on other railroads.

While steam coil and drain pipe work is being handled the same at other points on the railroad as at Dalhart, Texas, the latter point is the only location which has been mentioned by the employees in their complaint, and at this point our train yard and repair track is located some distance from the roundhouse, and if the work desired by the sheet metal workers be handled by them instead of as at present, by carmen, as provided for in our contract, there would be additional expense to the carrier, and in some instances a delay would be encountered which would not be warranted in getting sheet-metal workers from the roundhouse to the repair track.

The present method of handling is entirely satisfactory to the carrier, permits of economical operation, and is strictly in accord with the agreement between the carrier and its carmen, and the request of the sheet-metal workers should be definitely declined, on basis of the very plain language of our contract rules. Where tank cars are taken to the boilershop, the steam coil and drain pipe work in connection with oil tank cars is handled by sheet metal workers.

FINDINGS.—The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

The parties to said dispute were given due notice of hearing thereon. Rule 93 does not support the position of the employees.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: J. L. MINDLING
Secretary

Dated at Chicago, Illinois, this 2nd day of October, 1936.