

Award No. 754

Docket No. 674

2-GCL-BM-'42

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee R. F. Mitchell when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 14, RAILWAY EMPLOYES'
DEPARTMENT, A. F. OF L. (BOILERMAKERS)**

MISSOURI PACIFIC LINES (GULF COAST LINES)

DISPUTE: CLAIM OF EMPLOYES: That H. P. Huckaba, boilermaker, at Harlingen, Texas, be compensated for all time lost from June 30, 1940, to July 8, 1940, and from July 13, 1940, to August 30, 1940, due to being furloughed and duties of boilermaker being assigned to night roundhouse foreman.

EMPLOYES' STATEMENT OF FACTS: At Harlingen, Texas, effective date of June 30, 1940, force reduction of one boilermaker was made. Immediately after this reduction became effective, duties of night roundhouse foreman were extended to include the work usually performed by the furloughed boilermaker. Reduction remained in effect until August 30, 1940, at which time the boilermaker was re-assigned to perform the same duties that were required of the night roundhouse foreman at the time the reduction in force became effective.

POSITION OF EMPLOYES: Prior to July 1, 1940, the roundhouse force at Harlingen, Texas, consisted of two shifts.

First Shift: 2 machinists
2 mechanical helpers
1 machinist advance helper
1 boilermaker
1 boilermaker helper
1 stationary foreman
3 laborers
1 engine watchman

Hours of Service from 7:00 A. M. to 12:00 Noon and 1:00 P. M. to 4:00 P. M., seven days per week.

Second Shift: 1 machinist helper
1 engine watchman

Hours of service 8:00 P. M. to 12:00 Midnight and 1:00 A. M. to 5:00 A. M., seven days per week, two laborers with hours of service 10:00 P. M. to 7:00 A. M., seven days per week, one day roundhouse foreman 7:00 A. M. to 7:00 P. M., one night roundhouse foreman 7:00 P. M. to 7:00 A. M.

(b) Foremen at outlying points, where no mechanics are employed, shall perform the work of any craft.

(c) Foremen at other points may perform any work or assist in work necessary for prompt and economical operation.

Under the above quoted rule, foremen are permitted to perform any work or assist in work necessary for prompt and economical operation.

July 8 to 13, 1940, inclusive, Boilermaker Huckaba worked as boilermaker in Kingsville shops and there is no claim for those dates. On August 19, 23, 24 and 25, a boilermaker was sent from Kingsville to Harlingen to make inspections and the carrier offered to allow Boilermaker Huckaba a day for each of those dates inasmuch as a boilermaker was sent from Kingsville to make the inspections referred to when Boilermaker Huckaba held seniority at Harlingen, and the carrier is still agreeable to making that allowance.

It is the contention of the carrier that there was no violation of the agreement on account of the night foreman performing or assisting in performing boilermaker's work at Harlingen during the time Boilermaker Huckaba's position was abolished, and that he is only entitled to four days' pay for the days on which a boilermaker was sent from Kingsville shops to make inspections, as indicated in the position of the carrier.

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe 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.

The carrier violated the current agreement by furloughing Boilermaker Huckaba and assigning his duties of boilermaker to the night roundhouse foreman and he is entitled to be compensated for all time lost due to being furloughed and his duties as boilermaker assigned to the night roundhouse foreman.

AWARD

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: J. L. Mindling
Secretary

Dated at Chicago, Illinois, this 20th day of April, 1942.