

**Award No. 3195**

**Docket No. 3015**

**2-B&O-SM-'59**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

**The Second Division consisted of the regular members and in addition Referee Dudley E. Whiting when award was rendered.**

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**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 30, RAILWAY EMPLOYEES'  
DEPARTMENT, A. F. of L.—C. I. O. (Sheet Metal Workers)**

**BALTIMORE AND OHIO RAILROAD COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

That under the controlling agreement the Claimants, Sheet Metal Workers E. H. Grace, E. E. Peddicord, W. B. Knight, and Helper D. F. Heiderman, be compensated for the same number of hours that Signal Department employees worked in installing 1" air pipe line and pipe hangers from Bailey's Car Shop air reservoir to air reservoir at Howard Street tunnel at pro rata of pay from December 10, 1956, to and including February 4, 1957.

**EMPLOYEES' STATEMENT OF FACTS:** Sheet Metal Workers E. H. Grace, E. E. Peddicord and W. B. Knight, and Helper D. F. Heiderman, hereinafter referred to as the claimants, are employed by The Baltimore and Ohio Railroad Company, hereinafter referred to as the carrier, in the water station force of the Maintenance of Way Department, under the supervision of the chief engineer maintenance, Mr. C. R. Riley.

Submitted herewith, identified as Exhibit A, is a copy of the seniority roster — sheet metal workers — water station force, in the Maintenance of Way Department, showing the names of the claimants on their respective rosters by class.

At Bailey's Car Shop in Baltimore, Maryland, there is located a main air reservoir from which air lines run throughout the yards and buildings and the air therefrom is used to operate pneumatic tools and other air equipment of various purposes.

On December 10, 1956, the carrier directed the water station force to make a tap in this main air reservoir and to install a one (1) inch globe valve for an air supply line.

The carrier submits that the work involved in the instant claim belonged to the signal forces. The carrier submits that this claim in its entirety ought to be denied.

**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.

Parties to said dispute were given due notice of hearing thereon.

Carrier constructed a new interlocking tower at Camden Yard and installed three air switch machines in the west portal of the Howard Street tunnel. This required a one inch air pipe line from the main air reservoir at the car shop. Signal forces installed that line, putting in some tees and globe valves along the line and a booster reservoir at the tunnel entrance before making direct connection with the switch machines. It is contended that under such circumstances the pipe work from the main reservoir to the booster reservoir is properly the work of sheet metal workers.

It does not appear that the installation of tees, globe valves and a booster reservoir makes this pipe line any less an integral part of the switch machine installation. Its primary purpose was to operate such machines and it appears to have been used for no other purpose. Thus, pursuant to our Award No. 2810, the claim is invalid.

#### AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of SECOND DIVISION

ATTEST: Harry J. Sassaman  
Executive Secretary

Dated at Chicago, Illinois, this 27th day of April 1959.

#### DISSENT OF LABOR MEMBERS TO AWARD NO. 3195

The work involved in this docket is sheet metal workers' work pursuant to the current agreement in effect between the parties. The Scope Rule reads as follows:

"Scope of Agreement.

The following rules and working conditions will apply to:

Machinists  
Boilermakers  
Blacksmiths  
Sheet Metal Workers  
Electrical Workers  
Carmen

Their apprentices and helpers (including coach cleaners),  
in the

Maintenance of Equipment  
Maintenance of Way  
Signal Maintenance  
Telephone and Telegraph Maintenance  
Bolt and Forge Shop, Cumberland, Md., and

all other departments, performing the work specified herein, superseding all other rules and agreements."

Therefore, as the Scope Rule covers the department in which this work was done the award is erroneous.

R. W. Blake

Charles E. Goodlin

T. E. Losey

Edward W. Wiesner

James B. Zink