



Award No. 5831

Docket No. 5661

2-WP-SM- '69

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee John J. McGovern when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 117, RAILWAY EMPLOYEES'
DEPARTMENT, AFL — CIO
(Sheet Metal Workers)**

THE WESTERN PACIFIC RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYES:

1. That under the controlling agreement the Carrier improperly assigned other than Sheet Metal Workers to make repairs and install air pipes in the Sacramento Shop yards on February 1, 2, 3, 6, 7 and 8, 1967.
2. That accordingly, the Carrier be ordered to:
 - A. Discontinue the use of employees other than employees of the Sheet Metal Workers to make repairs to air pipes underground at Sacramento Shop Yards.
 - B. That accordingly, the Carrier be ordered to compensate Sheet Metal Workers H. Mahlin, P. Schultze, C. Hoskins, H. Bitze, V. Johnsen, D. Galloway and B. Stewart 10 hours each at 3.04 per hour.

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 waived right of appearance at hearing thereon.

The facts and the issue presented for resolution in this case are essentially the same as contained in Award 5830. For the reasons stated in that Award, we will sustain the instant claim.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: Charles C. McCarthy
Executive Secretary

Dated at Chicago, Illinois, this 16th day of December, 1969.