

The Second Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

Parties to Dispute: ( International Association of Machinists and  
( Aerospace Workers - A.F.L. - C.I.O.  
(  
( Missouri Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company violated the controlling Agreement, particularly Rules 26 and 52(a) when they arbitrarily assigned the work of building a frame for the purpose of holding a diesel engine, main generator, oil cooler, and support equipment of the Machinists' Craft to the Boilermakers' Craft at North Little Rock, Arkansas.

2. That accordingly, the Missouri Pacific Railroad Company be ordered to compensate Machinists H. L. Counts, W. C. Toombs, R. B. Taylor, E. W. Dreher, G.H. Schultz, J. J. Justice, L.E. Wilson, S. E. Brucks, F. D. Nalley, C. E. Cook, P. W. Polk, P. E. Golleher, T. J. McElwee, C. Bolden, L. Scott, J. W. Benish, J.D. Jordan, E. C. Rouse, J.M. Pack, and J. W. Haustein, in the amount of eight (8) hours each at the overtime rate of pay for Machinists having been denied the right to perform Machinists' work.

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 employes 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.

Petitioner in this case contends that Carrier assigned the work of building a frame for the purpose of holding a diesel engine main generator, oil cooler, and support equipment to members of the Boilermakers' Craft. This was in violation of Rule 52(a), Machinists' Classification of Work Rule.

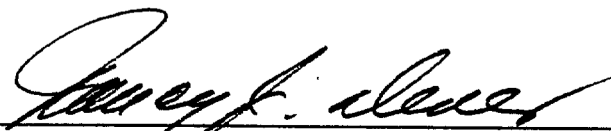
The basic facts of this case are all but identical to those contained in Docket No. 6588 involving these same parties. In Award No. 6762, Dana E. Eischen, Referee, we sustained the portion of the claim alleging that the work in question was improperly assigned. We denied the portion of the claim requesting a monetary payment to Claimant because he was fully employed during the claim period. Our reasoning in that case applies equally to the facts here presented. We will therefore follow that Award and make the same decision here.

A W A R D

Part one of the claim is sustained.  
Part two of the claim is denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:

  
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 30th day of January 1985.