

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

(Brotherhood of Railway Carmen of the United States
(and Canada

PARTIES TO DISPUTE: (

(Burlington Northern Railroad Company

STATEMENT OF CLAIM:

1. That the Burlington Northern Railroad Company violated the terms of our Agreement, in particular Rule 83 of the controlling Agreement, on January 18, 1984.

2. That accordingly, West Burlington Carman R. E. Balzer be compensated four (4) hours pay at the straight time rate for his rate and class for January 18, 1984.

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 employees involved in this dispute are respectively carrier and employees 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 Organization claimed that the Carrier assigned work belonging to the carman's craft per Rule 83(f) of the current Agreement to the Sheet Metal Workers Union, which states in pertinent part:

"Carman's work shall consist of:..., doors
windows, door and window locks,..."

The Sheet Metal Workers chose to intervene in this dispute and their Submission clearly stated in part:

"As the disputed work clearly falls within the
ambit of the Sheet Metal Workers' Classification
Work Rule, it follows that the work was not
improperly assigned."

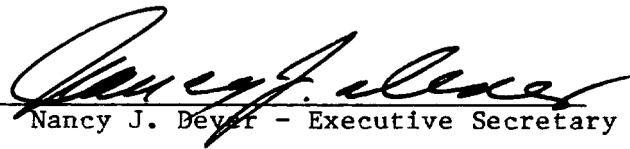
In their Submissions both Organizations state emphatically that the work in question belongs to their respective crafts and, therefore, the Board has been asked to decide in essence a jurisdictional dispute. Jurisdictional disputes have been the subject of numerous Awards before this and other Divisions, and the Board has consistently held that they have no authority to settle such jurisdictional disputes given the clear language of Rule 93. Therefore, the Board has no choice but to dismiss the claim.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Beyer - Executive Secretary

Dated at Chicago, Illinois, this 15th day of June 1988.