

The Second Division consisted of the regular members and in addition Referee Eckehard Muessig when award was rendered.

(Sheet Metal Workers' International Association
PARTIES TO DISPUTE: (
(Illinois Central Gulf Railroad

STATEMENT OF FACTS:

1. Carrier violated Rules 33, 107 & 108 of Current Working Agreement, also Understanding during conference February 22, 1982, between Mr. W. C. Campbell, Assistant Master Mechanic and General Chairman, Don C. Buchanan. Violation due to Carmen assign to perform Sheet Metal Workers' work on caboose heaters.

2. Claim in behalf of Sheet Metal Worker M. T. Sanford for 24 hour call.

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.

As Third Party in Interest, the Brotherhood Railway Carmen of the United States and Canada was advised of the pendency of this dispute, but chose not to file a Submission with the Division.

The issue in this claim was triggered when two Carmen replaced the combustion chambers in two of the Carrier's caboose heaters. The Sheetmetal Workers claim that the work belonged to it pursuant to the part of Rule 108 which reads:

"...building, erecting, assembling, installing, dismantling and maintaining parts made of sheet copper, brass, tin, zinc, white metal, lead, black, planished, pickled and galvanized iron of ten (10) gauge and lighter..."

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Docket No. 11219-T
89-2-86-2-27

Based upon our review of the record developed on the property, we conclude that the Organization has met its burden of proof to show that the work at issue belongs to its craft.

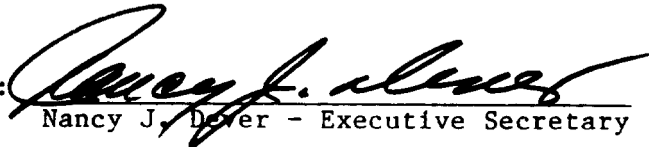
With respect to the damages question, inasmuch as a minimal amount of time was involved in performing the tasks and because no wages were lost, under the particular circumstances that we find here, we deny the monetary portion of the claim.

A W A R D

Claim sustained in accordance with the Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 25th day of January 1989.