

Award No. 1800
Docket No. 1721
2-PRR-URRWA (CIO)-'54

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

PARTIES TO DISPUTE:

UNITED RAILROAD WORKERS OF AMERICA, C. I. O.

THE PENNSYLVANIA RAILROAD COMPANY
(Altoona Works)

EMPLOYES' STATEMENT OF CLAIM: 1. The employees claim the Pennsylvania Railroad Company is without the authority of the Controlling Agreement to assign other than Common Laborers to the duties accruing to that Class.

2. Therefore, the employees are claiming eight hours each of the following days—April 7, 8, 9, and 30, 1953, for the senior furloughed laborers at the Altoona Car Shop seniority district.

3. This claim is due to the unilateral action of the Carrier in assigning D. R. McIntire, E. L. Hite, C. O. McVey, and K. D. Murtiff, Machinists to the duties which accrue to Common Laborers.

EMPLOYES' STATEMENT OF FACTS: There is an agreement between the parties hereto dated July 1, 1949 and subsequent amendments, copy of which is on file with the Board and is, by reference hereto, made a part of this statement of facts.

At Altoona, Pa., Altoona Works, the Pennsylvania Railroad Company, hereinafter referred to as the carrier, employs a force of common laborers.

The United Railroad Workers of America-CIO representing the above-mentioned craft and class, will hereinafter be referred to as the claimant.

This dispute was first presented to the carrier at the foreman's level by the employees, May 14, 1953, and denied by him May 21, 1953, evidence of which is submitted herewith and identified as employees Exhibit A.

This dispute was then progressed to the superintendent, discussed June 5, 1953, and denied June 30, 1953, evidence of which is submitted herewith and identified as Exhibit C.

A joint submission was then entered into by and between the parties to the dispute, evidence of which is submitted herewith and identified as employees Exhibit C.

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.

The parties to said dispute were given due notice of hearing thereon.

The record in this case reveals that the racks for the storage of bar stock, used by the Machinists' assigned to operate turret lathes, had become disarranged resulting in difficulty in locating the size and type of bar stock desired. To overcome this situation, four Machinists '(regularly assigned to operate turret lathes) together with three Laborers', reclassified the bar stock and cleaned the racks. Useable stock was returned to the proper racks, surplus and obsolete stock was transported elsewhere. At the same time paper which had accumulated in and around the racks was picked up. The total time consumed for the entire operation is stated by the Carrier as one hour. This is not refuted by the petitioners'.

A careful review of the evidence of record does not warrant a sustaining award.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 30th day of June, 1954.