

Award No. 1815
Docket No. 1707
2-AT&SF-CM-'54

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Edward F. Carter when the award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 97, RAILWAY EMPLOYES'
DEPARTMENT, A. F. of L. (Carmen)**

**THE ATCHISON, TOPEKA AND SANTA FE RAILWAY
COMPANY (Topeka Shops)**

DISPUTE: CLAIM OF EMPLOYES: 1—That under the current agreement other than Carmen are improperly assigned to operate Punch No. 11 in the Carrier's Freight Car Shop at Topeka, Kansas.

2—That accordingly the Carrier be ordered to:

(a) Discontinue the assignment of Carmen Helpers to operate Punch No. 11.

(b) Assign Carmen to operate Punch No. 11.

EMPLOYES' STATEMENT OF FACTS: The carrier has in its Topeka, Kansas freight car shop a punch known as No. 11 center sill and side sill punch. This machine is capable of handling freight car center and side sills at least sixty (60) feet long, making the overall length of the operating table of the machine approximately one hundred and thirty (130) feet long (a rough sketch is submitted and identified as Exhibit A).

Midway between the overall length of the machine a carman mans the controls for punching the holes in the center and side sills.

To the left of the overall center of the machine or from the carman who operates the electrical controls that punches the holes in the sills, is another station of operation which consists of a geared control wheel, geared to the punch table, which requires the operator of this control station to start at 0' from the center of the punch to 65' from the center of the punch.

Along the edge of the punch frame is secured a template or jig, with holes therein properly centered to coincide with the proper distance from center to center of holes to be punched in the material for use in the building of cars.

Operation No. 6

From machine to floor. Carman helper designated by letter "B" operates crane in removing the machined sills from the machine to the floor after the necessary punching of holes in the sills has been completed.

* * *

The operations and positions described in the foregoing, and as illustrated by the submitted photographs, are comparable to all the different steel shapes that are punched on this machine, with the machine operator (mechanic) operating the machine and the carmen helpers helping to place the material on the table of the machine and pulling it through the machine after the carriage is attached to the material by the operator (mechanic).

POSITION OF CARRIER: The carrier contends that the operation in question is strictly helper's work since it is manually operated and the helper is not held responsible for the machining of the material passing through the machine and the mechanic that is assigned to operate the machine sets up the templates for machining the various articles, and all the helper is required to do is to move the work that is on the spacing table to a given point, and then a peg drops in the hole in the template that was set up on the machine by the mechanic, and when that is done, the operator (the mechanic) trips the lever and the machine then punches the hole or key slot, and regardless of how far the spacing table is from the operator, he knows by watching the work at the punch that the spacing table has placed the material in correct position for punching.

FINDINGS: The Second Division of 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.

Carrier has a No. 11 Center Sill and Side Sill Punch in its Freight Car Shop at Topeka, Kansas. It is capable of handling center and side sills up to 60 feet in length, making the overall length of the operating table about 130 feet. The blank material is raised from the floor with an overhead electric crane and placed on the rollers of the machine which are used as a table to feed the material through the machine. The carriage used to pull this material through the machine is operated by one helper when the material is for use in 40' 6" cars, and by two helpers when it is for use in 50' 6" cars. The Organization contends the work performed by the carmen helpers belongs to carmen and demands that carmen be assigned to the work.

The punching operation is performed in the center, between the roller tables that feed the material into and away from the punches. When the blank material is placed on the roller table, the mechanic attaches a templet. The helper or helpers, as the case may be, pull the sills through until the dowel pin on the machine engages the hole in the templet. This places the material in proper position for punching by the mechanic operating the punch. The operation is repeated until all the holes have been punched. The helpers then remove the sill with the aid of the overhead crane.

The work performed by the helpers is wholly manual. After the sill has been placed on the roller table, they pull it along until the hole in the templet engages the dowel pin. The pattern is layed out by the mechanic

when he attaches the templet. It is the carmen mechanic who performs the skilled work and supervises the operation. The work done by the helpers is clearly manual labor only and consequently the work of carmen helpers.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 23rd day of July, 1954.