

Award No. 3274
Docket No. 2865
2-IC-EW-'59

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee James P. Carey, Jr., when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 99, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L.—C. I. O. (Electrical Workers)**

ILLINOIS CENTRAL RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

That under the current agreement the Carrier improperly assigned other than electrical workers of the Maintenance of Equipment Department to repair overhead electric door, Repair transfer table, and repair light fixtures in various buildings on the grounds of Burnside Shops between September 17, 1956 and September 25, 1956, thereby damaging electrical workers of the Maintenance of Equipment Department in the amount of one hundred and fifty man hours of work and that, accordingly,

That the following regularly employed employees of the Carrier of the Maintenance of Equipment Department be compensated at the applicable time and one-half rate for each man hour worked which they were entitled to perform under the applicable rules of the current agreement:

R. Ziegner	W. E. Bay
L. R. Tropp	W. G. Bohn
K. S. Bell	J. G. Reihel
R. O'Brien	F. T. Ficek
R. V. Karas	J. Poerkert
J. E. Olson	P. Medrano
F. Perry	R. Nichola

Subscribed and sworn to before me at Chicago, Illinois, this
6th day of December, 1957.

/s/ Narcie J. Sedlacek
Notary Public
10813 South Vernon Avenue

My Commission expires September 7, 1960."

"Chicago, Illinois
December 6, 1957

"Mr. R. E. Lodentz
Manager of Personnel

During the month of September, 1956, electricians of the Maintenance of Way and Structures Department performed maintenance to an overhead electric door motor located in the Storehouse, repaired the transfer table located outside the passenger car shop, and maintained lights and light fixtures in the passenger car shop.

This maintenance work is chargeable to fixed property accounts and is not the responsibility of, or under the jurisdiction of, the Maintenance of Equipment Department.

/s/ J. A. Welsch
General Superintendent
Motive Power

/s/ L. H. Schierbecker
General Superintendent
Car Department

SEAL

Subscribed and sworn to before me at Chicago, Illinois, this
6th day of December, 1957.

/s/ Narcie J. Sedlacek
Notary Public
10813 South Vernon Avenue

My Commission expires September 7, 1960."

The work here involved not being under the jurisdiction of the Maintenance of Equipment and, therefore, not a part of Seniority District 3, there is no basis for the claim, and it should be denied.

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.

Parties to said dispute were given due notice of hearing thereon.

Claim is made on behalf of 14 electrical workers in the Maintenance of Equipment Department, Burnside Shops, for compensation at time and one-half rate for each man hour worked by Maintenance of Way and Structures electricians between September 17 and 25, 1956. The work involved repairs to overhead electric door motor, transfer table and light fixtures in various buildings at Burnside Shops.

In accordance with claimants' request, that portion of the claim involving repairs and maintenance on the transfer table is dismissed.

An electrician and an electrician's helper employed in Maintenance of Way and Structures Department repaired an overhead electric door motor in the storehouse at Burnside Shops, devoting two hours each to this work on September 17 and four hours each on September 18. On September 24, 1956, an electrician and electrician's helper were assigned to perform routine maintenance to lights and light fixtures in the Passenger Car Shop at Burnside. All of the work in the storehouse and car shop was performed inside the respective buildings, and for the reasons stated in Award No. 3272, Docket No. 2843, it was work belonging to electrical workers in the Maintenance of Equipment Department at Burnside Shops.

The instant claim is sustained at the pro rata rate for electricians on the following basis: For the time spent by an electrician in repairing an overhead door motor in the storehouse on September 17 and 18, 1956, the senior electrician among the claimants shall be compensated for an equal amount of time; and for time spent by an electrician in maintenance of lights and fixtures in the passenger car shop on September 24, 1956, the senior electrician among claimants shall be compensated for an equal amount of time.

AWARD

Claim dismissed in part and sustained in part in accordance with findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 24th day of June 1959.