

Award No. 3275

Docket No. 2873

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 EMPLOYES' DEPARTMENT, A. F. of L.—C. I. O. (Electrical Workers)

THE ILLINOIS CENTRAL RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYES:

That under the current agreement the Carrier improperly assigned other than electrical workers of the Maintenance of Equipment Department to repair light fixtures in the Stores Department, Burnside Shops on October 23, 1956, thereby damaging electrical workers of the Maintenance of Equipment Department in the amount of twenty-four man hours of work and that, accordingly,

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:

E. M. Muehlenbein

W. S. McLaren

EMPLOYES' STATEMENT OF FACTS: The carrier assigned Maintenance of Way electricians covered by the Section B Agreement to perform electrical work inside of buildings on the grounds at Burnside Shops, Chicago, Ill. This work was done on light fixtures in the stores department.

Claimant employees of the Maintenance of Equipment Department are employed by the carrier and hold seniority as such.

The dispute was handled with carrier officials designated to handle such affairs who all declined to adjust same.

The agreement effective April 1, 1935, as subsequently amended, is controlling.

Subscribed and sworn to before me at Chicago, Illinois, this
26th day of December, 1957.

/s/ Narcie J. Sedlacek
Notary Public

10813 South Vernon Avenue

My Commission expires September 7, 1960."

"Chicago, Illinois
December 26th, 1957

"Mr. R. E. Lorentz
Manager of Personnel

As Superintendent Communication and Electrical Engineer I
have general supervision and jurisdiction over electrical construc-
tion, installation, and maintenance on fixed property on the Illinois
Central Railroad, and in the performance of this responsibility I
report to the Engineer Maintenance of Way.

On or about October 23, 1956, electricians of the Maintenance
of Way and Structures Department performed maintenance to
light fixtures in the Storehouse at Burnside Shops. Such mainte-
nance work is the responsibility of and under the jurisdiction and
supervision of the Maintenance of Way and Structures Department.

/s/ P. B. Burley
Superintendent Communication
and Electrical Engineer

SEAL

Subscribed and sworn to before me at Chicago, Illinois, this
26th 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 Main-
tenance of Equipment Department and, therefore, not a part of Seniority
District No. 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.

On October 23, 1956, two electricians employed in the Maintenance of Way and Structures Department were assigned to make repairs to light fixtures in the Stores Department at Burnside Shops. Compensation at penalty rate for the time worked is claimed on behalf of two electricians in the Maintenance of Equipment Department.

For the reasons stated in Award No. 3272, Docket No. 2843, the claim is sustained at pro rata rate.

AWARD

Claim sustained 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.