



Award No. 4907

Docket No. 4828

2-RDG-CM-66

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

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

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 109, RAILWAY EMPLOYEES'
DEPARTMENT, AFL-CIO (Carmen)**

READING COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That the Carrier was in violation of current agreement when assigning Car Inspectors and Helper to exterior cleaning of RDC Cars —9151, 9155, 9156, 9157, 9158, 9159 and 9160 on the following dates: April 22, 23, 24, 25, 26, 29, and 30, 1963.

2. That, accordingly, Coach Cleaners Edward Dixon and John Diehl should be made whole by being paid 8 hours at punitive rate for each of the following days: April 22, 23, 24, 25, 26, 29 and 30, 1963.

EMPLOYEES' STATEMENT OF FACTS: The Reading Company, herein-after referred to as the carrier, assigned car inspectors and carmen helper to exterior cleaning of RDC Cars 9151, 9155, 9156, 9157, 9158, 9159 and 9160 as follows:

April 22, 1963	—Car Inspector	H. Weyman
	—Car Inspector	F. Pincurek
April 23, 1963	—Car Inspector	N. Evans
	—Car Inspector	G. Morgan
April 24, 1963	—Car Inspector	G. Morgan
	—Car Inspector	F. Pincurek
April 25, 26 and 29, 1963	—Car Inspector	H. Weyman
	Carman Helper	F. Pincurek
April 30, 1963	Carman Helper	N. Evans
	Carman Helper	G. Morgan

The exterior cleaning performed consisted of washing down the cars and was performed on the first shift at Reading Terminal, Philadelphia, Pennsylvania.

During the period of the claim there were thirteen (13) coach cleaners regularly assigned at Reading Terminal, six (6) on the first shift, four (4) on the second shift and three (3) on the third shift. In addition, there were

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 presented here for Coach Cleaners Edward Dixon and John Diehl, on the following dates, and for compensation at the punitive rate of pay, April 22, 23, 24, 25, 26, 29 and 30, 1963, when it is alleged by the Organization that Carrier assigned Car Inspectors and Helper to perform exterior cleaning RDC Cars, known as Budd Cars. Such work, it is contended, belongs to Coach Cleaners, and such action it is alleged constitutes a violation of Rules No. 31 and No. 125, of the effective Agreement between the parties.

Carrier takes the position that the record here shows that no showing has been made by the Organization that Coach Cleaners have the exclusive right to perform the work complained of. Rule No. 125 of the Agreement. The rule refers to "any other unskilled work." Certainly this does not reserve the work of coach cleaning to coach cleaners exclusively, nor do the provisions of "Rule No. 108 Classification of Work", specify the work and duties of Car Cleaners.

The Board is of the opinion that the record here does not merit a sustaining award.

The allegations made here do not show a violation of the Agreement by Carrier.

Claim should be denied.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION

ATTEST: Charles C. McCarthy
Executive Secretary

Dated at Chicago, Illinois, this 27th day of June, 1966.