



**Award No. 5831**

**Docket No. 5661**

**2-WP-SM- '69**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee John J. McGovern when award was rendered.

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**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 117, RAILWAY EMPLOYEES'  
DEPARTMENT, AFL — CIO  
(Sheet Metal Workers)**

**THE WESTERN PACIFIC RAILROAD COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:**

1. That under the controlling agreement the Carrier improperly assigned other than Sheet Metal Workers to make repairs and install air pipes in the Sacramento Shop yards on February 1, 2, 3, 6, 7 and 8, 1967.
2. That accordingly, the Carrier be ordered to:
  - A. Discontinue the use of employees other than employees of the Sheet Metal Workers to make repairs to air pipes underground at Sacramento Shop Yards.
  - B. That accordingly, the Carrier be ordered to compensate Sheet Metal Workers H. Mahlin, P. Schultze, C. Hoskins, H. Bitze, V. Johnsen, D. Galloway and B. Stewart 10 hours each at 3.04 per hour.

**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 employees 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 waived right of appearance at hearing thereon.

The facts and the issue presented for resolution in this case are essentially the same as contained in Award 5830. For the reasons stated in that Award, we will sustain the instant claim.

**A W A R D**

Claim sustained.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Second Division

**ATTEST: Charles C. McCarthy**  
Executive Secretary

**Dated at Chicago, Illinois, this 16th day of December, 1969.**