

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

Parties to Dispute: (Brotherhood Railway Carmen of the United States
(and Canada (Carmen)
(
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(Port Authority Trans-Hudson Corporation

Dispute: Claim of Employees:

1. That under the current agreement, the Carrier assigned other than Car Repairmen to modify the K car equipment by installing support brackets with U-bolts on all tripper hoses.
2. That accordingly, the Carrier be ordered to compensate Car Repairman K. Johnson, twenty-four hours pay at the overtime rate because of this violation.

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.

The instant claims were initiated in behalf of Claimant Car Repairmen when Carrier assigned Car Inspectors the work of installing support brackets and U-bolts to tripper hoses on K-Car equipment.

The positions of the parties were well expressed in oral hearing and in written briefs. In evaluating the expressions of the parties in conjunction with Agreement rules, we find the work to be Carmen's work which may be assigned to Car Inspectors when the equipment is not sent to the shop for repairs. The basis of our Finding is found in Article I, Section 1(d) reading in part:

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Award No. 7558
Docket No. 7459
2-PATH-CM-'78

"Car Inspector ... assigned to perform ... running
repair work on cars and associated equipment, and
duties incidental thereto."

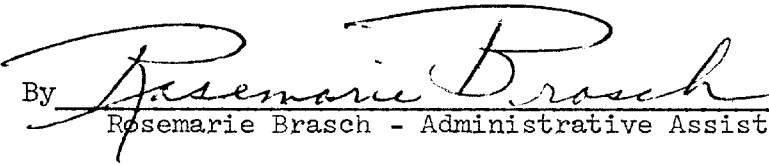
A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By


Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 16th day of June, 1978.