

The Second Division consisted of the regular members and in addition Referee Robert A. Franden when award was rendered.

Parties to Dispute: (System Federation No. 2, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Electrical Workers)
(
(Missouri Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company violated Rules 25(a), (b) and (c) of the June 1, 1960 controlling agreement; Article III of the September 25, 1964 Agreement when Carrier assigned on Friday, June 24, 1977 between the hours of 4:00 p.m. to 12:00 midnight, Data Test Center Engineer D. G. Milburg; again on Saturday, June 25, 1977 between the hours of 7:00 a.m. to 4:00 p.m. Data Test Center Supervisor Zul, Data Test Center Communications Engineer Wheeler and Data Communications Engineer Creath to perform telephone maintainers' work with the removal and installation of IBM 3705 cables, between the 7th and 8th floor in the Missouri Pacific Building, St. Louis, Missouri, thus, depriving Claimants the provisions of the Agreements.
2. That, accordingly, Carrier be ordered to compensate Telephone Maintainers Stefaniak for June 24, 1978 and Telephone Maintainers Heise, Legamaro and Lehmkuhl for June 25, 1977, eight hours (8') each at the punitive rate.

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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.

This claim is based on the alleged improper use of supervisors to do telephone maintainers' work in connection with an IBM 3705 at the Carrier's communications facility at St. Louis, Missouri. Specifically it is charged that supervisors performed maintainers' work in helping to install cables running between the IBM 3705 and the Carrier's Data Test Center. The Carrier has denied that supervisors performed any work reserved to the claimants.

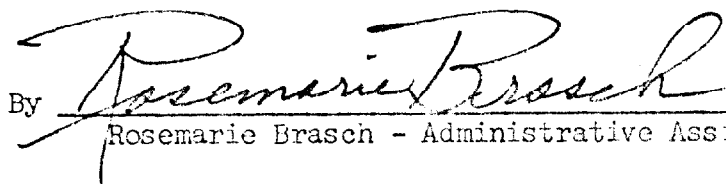
We have thoroughly reviewed the record of the handling on the property and fail to find anything other than assertions unsupported by evidence. The burden of proof rests on the claimants to show that the supervisors performed work reserved to them. This they have not done. We must deny the claim.

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 28th day of November, 1979.