

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

Parties to Dispute: (International Brotherhood of Firemen and Oilers
(Southern Pacific Transportation Company

Dispute: Claim of Employees:

1. That Southern Pacific Transportation Company (Pacific Lines) violated Rules 6 and 7 of the current agreement between the aforementioned Carrier and the Firemen and Oilers Craft, when they closed the Freight Car Wheel Shop at Sacramento, California, and all personnel including Firemen and Oilers, were used to scrape, sweep, wash and do general cleaning for eight (8) hours on May 2, 1980.
2. That accordingly, the Southern Pacific Transportation Company, be ordered to pay Firemen and Oiler J. C. WYNNE, ninety six (96) hours at the Laborer's rate of pay as a result of these infractions.

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 waived right of appearance at hearing thereon.

On May 2, 1980, the Carrier assigned all day shift shop employes (including members of the Firemen and Oiler craft) at its Freight Car Wheel Shop in Sacramento, California, to thoroughly clean the entire shop. Claimant is a Laborer stationed at the Sacramento Freight Car Wheel Shop. The Organization urges us to award Claimant ninety-six hours of pay as a result of the Carrier's misassignment of work exclusively reserved to the Firemen and Oilers craft by past practice as well as by Rules 6 and 7 of the applicable Agreement.

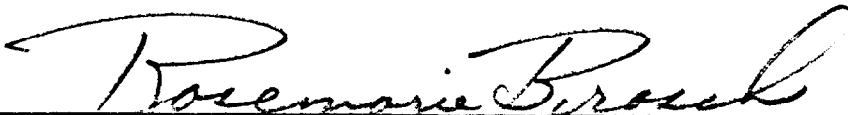
We have recently resolved an identical dispute between these same parties in Award No. 9239. For the reasons set forth in Award No. 9239, Claimant is entitled to eight hours of pay at the straight time rate in effect on May 2, 1980.

A W A R D

Claim sustained to the extent consistent with our Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Acting Executive Secretary
National Railroad Adjustment Board

By 

Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 22nd day of July, 1982.