

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

Parties to Dispute: (Sheet Metal Workers' International Association
(Missouri Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Missouri Pacific Railroad Company violated the controlling agreement particularly Rule 97, and Letter of Understanding of May 1, 1940, when they transferred the work of removing, cleaning, and reapplying of filters on liquid honing machine from the Sheet Metal Workers' Craft to the Machinists' Craft, on May 28, 1980, North Little Rock, Arkansas.
2. That accordingly, the Missouri Pacific Railroad Company be ordered to compensate Sheet Metal Worker S. V. Pruss in the amount of two hours (2') at pro rata rate, May 28, 1980, as he was available to perform this Sheet Metal Workers' work.

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 employes 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 28, 1980, at the Carrier's North Little Rock diesel facility, machinists were using a honing machine. This piece of machinery cleans pistons and exhaust valves by blasting them with small glass beads at high speeds. The dirt and dust freed are filtered through strips of cloth suspended vertically before the exhausted air leaves the honing machine. It was determined that the filters on the honing machine needed cleaning, and the Locomotive Foreman assigned the job to the machinists operating the device.

The Organization protests the assignment as a violation of Rule 97 and the May 1, 1940, Letter of Understanding prohibiting the transfer of work from one craft to another. In support thereof, the Organization submitted four statements from sheet metal workers attesting to the fact such work has been historically recognized as accruing to their craft.

The Carrier contends the agreement language cited by the Organization is silent on the specific task of removing, cleaning, and reapplication of cloth strip filters, which are part of a honing machine. The Carrier argues that, in the face of such silence, the Organization must show an exclusive system wide past practice of having performed the work. Having failed to do so, the Carrier avers the referred to letter of May 1, 1940, is meaningless because a prerequisite in its observance is a showing work reserved to one craft was

assigned to another. The Carrier also submitted four statements from machinists and one from a locomotive foreman in support of its position that such work has been performed by employees represented by other than the Organization.

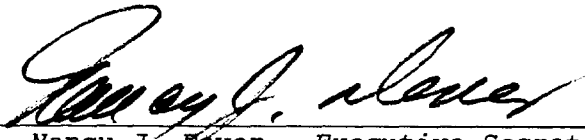
This Board finds the work involved is not specifically reserved to the Organization by Rule 97. Nor do we conclude from the signed statements of both Organization employees and machinists that the work has been normally performed by the Organization to the exclusion of all others. This is the burden, which through countless prior awards, has been required of the Organization to sustain its position. Failing to so find, we must deny the claim.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 19th day of September 1984.