

The Second Division consisted of the regular members and in addition Referee Robert M. O'Brien when award was rendered.

Parties to Dispute: (International Association of Machinists and Aerospace Workers
(
(Western Pacific Railroad Co.

Dispute: Claim of Employees:

1. That the Carrier violated Rules 29, 30, 51 and 112 of the Controlling Agreement when it assigned carmen and outside employes from Reliable Crane Co. to restring cable and make repairs to WPMW 79, Locomotive Crane on March 11, and March 14, 1980, in the Sacramento Shops.
2. That, accordingly, the Carrier be ordered to pay Machinists S. H. Retallic, G. J. Widrig, R. F. Lawton, R. J. Ward, E. O. Hood, G. J. Manikas, A. C. Solorzano, D. J. Reynolds, J. A. Domek, G. L. Langton, E. Vunisa and F. J. Caraska, (hereinafter referred to as Claimants) each an additional four (4) hours compensation for Machinists' work performed by three (3) outside employes from Reliable Crane Company and two (2) carmen of the Sacramento Shops.

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.

The instant claim was filed on behalf of Machinists employed by the Carrier at its Sacramento Shops. It is predicated on the Employes' belief that work belonging to Machinists was performed by Carmen and/or employees of Reliable Crane Company on March 11 and on March 14, 1980. According to the Employes three employees of the Reliable Crane Company and two Carmen from the Sacramento Shops were used to remove old cables and to replace them with new cables on pulleys of a Locomotive Crane. The Employes further contend that these individuals also made repairs to shafts and pulleys. This work, the Employes insist, belonged to the Machinists' Craft under Rule 51, the Machinists' Classification of Work Rule.

Unfortunately, the Employes have not specified or identified the Machinists' work performed by Carmen on March 11, 1980, and by employes of Reliable Crane Company on March 14, 1980. Consequently, this Division is at a loss to understand precisely what work reserved exclusively to the Machinists' Craft by Rule 51 has been assigned to non-Machinists. Of course, the burden rests with the Employes to demonstrate with some degree of specificity the work that has allegedly been assigned to other Crafts and/or to outside contractors. However, the claim before us is simply too vague and indefinite. The Employes have failed to specify what Machinists' work has purportedly been taken away from the Machinists' Craft at the Sacramento Shops on March 11 and on March 14, 1980. This Division is constrained to conclude that the instant claim lacks the specificity required by Section 3, First (i), of the Railway Labor Act.

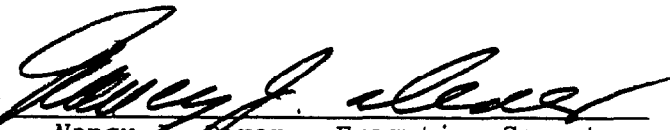
Since the Employes have failed to sustain the burden imposed on it as the moving party, this Division has no choice but to dismiss the claim inasmuch as it is too vague and indefinite.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Lever - Executive Secretary

Dated at Chicago, Illinois, this 27th day of February 1985.