

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

(Brotherhood Railway Carmen of the United States  
(and Canada

Parties to Dispute: (

(Chicago, Milwaukee, St. Paul and Pacific Railroad Company

Dispute: Claim of Employees:

1. That the Chicago, Milwaukee, St. Paul and Pacific Railroad Company violated the provisions of the current Agreement, dated September 1, 1949, as amended, precisely Rules 32(a), and 85 when they assigned other than Carmen (Carpenters) to the work of replacing door locks on Milwaukee Locomotive No. 2064 on October 19, 1982.

2. That the Chicago, Milwaukee, St. Paul and Pacific Railroad Company be ordered to compensate Locomotive Carman (Carpenter) M. Reinke, in the amount of three (3) hours and twenty (20) minutes pay, at the rate of time and one-half, under the minimum call Rule, for the date of October 19, 1982."

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.

As third party in interest, the Sheet Metal Workers' International Association was advised of the pendency of this case, but chose not to file a Submission with the Division.

On October 19, 1982, the Carrier assigned a member of the Sheet Metal Workers' Craft to change the rear door latch of a locomotive under repair at its Milwaukee, Wisconsin, Diesel House. The Carmen's Organization filed a Claim contending that a member of its Craft should have been assigned this task.


To prevail in this Claim, the Organization must prove that the work of replacing locomotive locks is exclusively reserved to its craft by agreement and practice. The evidence in this record falls far short of this requirement. Accordingly, under well defined authority, the Claim will be denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:

  
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Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 4th day of November 1987.