

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20902
Docket Number w-20909

Francis X. Quinn, Referee

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way Employes
(Burlington Northern Inc.

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood
that:

(1) The Agreement was violated when other than B&B Shop
Carpenters were used to construct tables and benches for outfit cars
assigned to a Maintenance of Way Tie Gang (System File B-RM-109C/MW-84(c)
-37/26/73).

(2) B&B Shop Carpenter Sig Swanson be allowed twenty-four (24) hours' pay at his straight-time rate **because** of the aforesaid violation.

OPINION OF BOARD: The record indicates the reconditioning work on
former passenger equipment converting them to outfit cars is and has been done at St. Cloud **Shops** and none of the work of
constructing tables and benches for these cars was done by Maintenance
of Way Employees.

The benches and tables in the instant case were made by Carmen
for use in cars. It was **carmen's** work. Therefore, **we** will deny the claim.

FINDING?: The **Third** Division of the Adjustment Board, upon the whole
record and all the evidence, finds and holds:

That the parties waived **oral** hearing;

That the Carrier and the **Employes** involved in this dispute are
respectively Carrier and Employes within the meaning of the Railway Labor
Act, as approved June 21, 1934;

That this **Division** of the Adjustment Board has jurisdiction over
the dispute involved herein; and

That the Agreement was not violated.

AWARD,

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A.W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 12thday of December 1975.