

The Third Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

(Brotherhood of Maintenance of Way Employes  
PARTIES TO DISPUTE: (  
(The Atchison, Topeka and Santa Fe Railway Company

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

(1) The Carrier violated the Agreement when, on January 11 and 12, 1984, it assigned Mechanical Department employees, instead of Bridge and Building Department Group 2 employees, to prepare the floor in the 'High Bay' area for painting (System File 30-A8-846/11-1940-120-90).

(2) As a consequence of the aforesaid violation, B&B Painters C. R. Wilson and C. E. York shall each be allowed one hundred twelve (112) hours of pay at their respective straight time rates."

FINDINGS:

The Third Division of the Adjustment Board upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employees involved in this dispute are respectively carrier and employees 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 Parties in Interest, the International Association of Machinists and Aerospace Workers, the International Brotherhood of Electrical Workers, and the International Brotherhood of Firemen and Oilers were advised of the pendency of this dispute, and filed a response with the Division. The International Brotherhood of Boilermakers and Blacksmiths and the Sheet Metal Workers Association were advised of the pendency of this dispute, but chose not to file a response with the Division.

This Claim arose as the result of work performed at Kansas City Terminal on January 11 and 12, 1984. The work involved was the cleaning of certain areas of the facility, namely the High Bay area.

The Organization argues that since the cleaning of the area in question was for the purpose of preparing it for painting, it should have been performed by Bridge and Building Department employees. Carrier contends that the work was part of a general cleaning of the facility in preparation for the

visit of Carrier officials. The work was thus properly performed by Mechanical Department employees. Further, the area in question was only one-third of the area that was cleaned.

The Board has reviewed all the documents submitted by both parties in this case. We conclude that the work of cleaning the terminal had previously been performed by Mechanical Department employees. We find no showing that the cleaning that took place in the High Bay area was any different from that performed in the rest of the facility.


The cleaning involved was general in nature and thus was properly the work of Mechanical Department employees. The fact that the cleaning was more comprehensive than usual is explained by the fact that members of upper management of Carrier were to visit the facility.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Nancy J. Defer - Executive Secretary

Dated at Chicago, Illinois, this 13th day of April 1989.