

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20902
Docket Number MW-20909

Francis X. Quinn, Referee

PARTIES TO DISPUTE: (Brotherhood of Maintenance of Way Employees
(
(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) -3 7/26/73).

(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.

FINDINGS: 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 Employees involved in this dispute are respectively Carrier and Employees 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.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 12th day of December 1975.