

SPECIAL BOARD OF ADJUSTMENT NO. 293

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES  
versus  
THE CENTRAL RAILROAD COMPANY OF NEW JERSEY

STATEMENT OF CLAIM:

That the Carrier violated the effective agreement when on July 24, 1959, it assigned three Boilermakers to dismantle a steel lancing platform located at the Elizabethport Power House, Elizabethport, New Jersey.

That the three senior furloughed ironworkers holding seniority on the Central Division in the Bridge and Building Department now each be reimbursed for an equal proportionate share of the time consumed by the Boilermakers in performing this work on July 24, 1959.

OPINION OF BOARD:

The steel lancing platform in question was originally manufactured in the Boiler Shop at Elizabethport by shop craft employees classified as boiler-makers, and was erected by them outside the Elizabethport Power House during the latter part of 1957. The concrete piers providing support for this platform were constructed by Maintenance of Way masons. Following completion of this structure the maintenance work thereon was performed by employees in the M of W Bridge and Building Department.

In July 1959, the Carrier no longer having need for this lancing platform, three boilermakers from the Boiler Shop were assigned to dismantle the structure in order to obtain parts for use in erecting a steel inspection and maintenance platform around a boiler inside the Power House. The contention in this claim is that the Carrier assigned these boilermakers to perform dismantling work belonging to employees in the Bridge and Building Department, who are covered by the Maintenance of Way Agreement.

The dismantling of this outside structure is work which the Carrier's B&B forces are qualified to perform. Although as a general proposition it may be said that work of the character in question falls in a twilight zone, we think that under the particular circumstances here involved the subject work was covered by the M of W Agreement and should have been assigned to employees in the Bridge and Building Department.

A W A R D: Claim Sustained.

/sd/ Lloyd H. Bailer  
Lloyd H. Bailer, Neutral Member

/sd/ A. J. Cunningham  
A. J. Cunningham, Employee Member

/sd/ C. S. Strang  
C. S. Strang, Carrier Member

Jersey City, N. J.  
October 13, 1964.