

PARTIES: BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
 and
 THE BALTIMORE AND OHIO RAILROAD COMPANY

STATEMENTS "Claim of System Committee that:
OF CLAIM:

The painting complained of was performed by ABC employees. While it is true that Maintenance of Way employees have, according to this record, done this painting on all previous occasions, it is also true that the type of painting involved is operational painting and not painting required in the preservation of a structure.

SBA 488

DOCKETS NOS. 39 and 47

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The nature of the painting involved is identical with that covered by Third Division Award No. 7959 involving these same parties which held that this particular type of painting does not belong to Maintenance of Way employees to the exclusion of all other classes or crafts.

We will follow Award 7959 and issue a denial award here.

AWARD

Claims denied.

(s) Edward A. Lynch
Edward A. Lynch, Chairman

(s) A. J. Cunningham
A. J. Cunningham, Employee Member

(s) T. S. Woods,
T. S. Woods, Carrier Member

Dated at Baltimore, Maryland,
this 28th day of August, 1963.