

SPECIAL BOARD OF ADJUSTMENT NO. 205

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

vs.

READING COMPANY

Award No. 42

Case No. 42

STATEMENT OF CLAIM:

1. The Carrier violated the effective agreement by assigning employees of the Motive Power Department to install six steel beams over the former Drop Pit, Erie Avenue, Philadelphia, on April 14, 1961.
2. Gang leader carpenter and carpenters on the Philadelphia Division be now paid an equivalent number of hours as was spent by the Motive Power Department employees in performing this referred to work.

OPINION OF BOARD:

In connection with the removal of a Drop Pit at Erie Avenue, Philadelphia, Pa., the Carrier's motive power department (shop craft) employees fabricated six steel beams 12 feet long by 12 inches wide to bridge and Drop Pit and carry track over same. On April 14, 1961, the steel beams were brought to the site by the local motive power crane and anchor bolt holes were burned out by a motive power department employee with an acetylene torch. The beams were then placed in position by the crane, assisted by masons and shop craft employees. Claim was then filed on behalf of a gang leader carpenter and carpenters on the Philadelphia Division for the equivalent time spent by the motive power department (shop craft) employees in burning the holes and placing the beams. It is the Organization's contention that this was B&B work which is covered by the subject Agreement.

We conclude that the burning of the holes represents work that is not covered by the subject Agreement but that the positioning (installation) of the beams is so covered. Both masons (who are covered by the M of W Agreement) and motive power department employees cooperated in handling the beams while being lowered into position. The portion of this work which was performed by motive power department employees was inconsequential in amount and cannot be measured on the basis of the confronting record. The request for compensation will therefore be denied.

AWARD:

The award is as stated in the above Opinion of Board.

(s) Lloyd H. Bailer

Lloyd H. Bailer, Chairman

(s) A. J. Cunningham

A. J. Cunningham, Employee Member

(s) H. F. Wyatt, Jr.

H. F. Wyatt, Jr., Carrier Member

Philadelphia, Pa.,  
January 29, 1963.