

The Second Division consisted of the regular members and in addition Referee W. J. Peck when award was rendered.

Parties to Dispute: (International Brotherhood of Electrical Workers
(
(Canadian Pacific Limited

Dispute: Claim of Employees:

1. That the Canadian Pacific Limited violated the collective Agreement between Canadian Pacific Limited and their Electrical Workers in the states of Maine and Vermont effective January 1, 1976, as amended, when on the dates of December 10, 11 and 12, 1981 and January 4, 1982 at Newport, Vermont Machinists were assigned to perform electrical testing and inspecting of the electrical equipment in violation of the above mentioned agreement, in particular, Rules 55.2 and 28.1.
2. That accordingly, the Canadian Pacific Limited compensate Electrician R. D. Masson, four (4) hours salary as (sic) the minimum call in pay for each date of December 10, 11 and 12, 1981 and January 4, 1982.

Findings:

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes 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 were given due notice of hearing thereon.

The Claimant is an Electrician employed by the Canadian Pacific Limited at Newport, Vermont, on dates of December 10, 11, and 12, 1981 and January 4, 1982, the Carrier worked some unnamed Machinist and/or Machinists' helpers overtime and apparently at a time on those days when there were no Electricians on duty. The Organization alleges that during that period of time when there were no Electricians on duty the Carrier used these Machinist and/or Machinists' helpers to perform electrical work, allegedly electrical testing and inspecting. The Carrier denies this contention and alleges that no electrical work was performed.

We have very carefully studied the entire record of the case and despite the fact that it is quite voluminous we are unable to find enough real information to allow us to either sustain or deny the case and we must therefore dismiss the case.

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Award No. 10140
Docket No. 10030-T
2-CP-EW-'84

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 31st day of October 1984.