

Award No. 589

Docket No. 618

2-GN-EW-'41

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 101, RAILWAY EMPLOYES'
DEPARTMENT, A. F. OF L. (ELECTRICAL WORKERS)**

GREAT NORTHERN RAILWAY COMPANY

DISPUTE: CLAIM OF EMPLOYES: That the work of testing and adjusting voltage and lamp regulators on trains terminating at points where electricians are employed should be performed by electricians employed at that point and not by train inspectors enroute.

JOINT STATEMENT OF FACTS: Supervisory train inspectors, not covered by the provisions of the shop craft agreement, ride trains 1 and 2 and other passenger trains in connection with inspection and check of lighting, heating, ventilating, air conditioning and other defects enroute. Such trains operate between Saint Paul and Seattle, and are two days enroute in either direction. The entire trip is covered by three inspectors who ride such portion of their respective districts as is necessary to complete their check of train facilities. When such check shows any failure in the proper functioning or operation of such apparatus, necessary replacements or regulation is made by them.

Electricians' special Rule 1 (e) of the current agreement covering shop craft employes, specifies requirements and rate of pay for first class electricians as follows:

"First class electricians: Qualified to install, maintain and repair ventilators, motors, transformers, oil switches, generator and switch board control apparatus; electric lighting fixtures, winding armatures, winding and insulating coils, building and repairing car lighting storage batteries, replacing and adjusting axle generators, adjusting bearings for motors, generators and turbo-generators, and all other work assigned requiring similar skill."

POSITION OF EMPLOYES: Electricians' special rules, Rule 1 (e) of the current shop craft agreement effective September 1, 1937, reads as follows:

"(e). First class electricians: Qualified to install, maintain and repair generators, motors, transformers, wire switches, generator and switch boards, control apparatus, * * *" (Underscoring ours.)

It is our contention that above rule clarifies our position that maintenance of control apparatus is work to be performed by the electricians, and not by train inspectors, who are part of the supervisory force.

In order to clarify the performance of setting voltage regulators, we will briefly describe the purpose of the voltage regulator. The voltage regulator

between Chicago and Saint Paul being upon the lines of and under the jurisdiction of the Chicago, Burlington and Quincy Railroad. At Saint Paul, additional cars may or may not be added, depending upon the season and quantity of travel, but in either event, the minimum unit composing the train operates for a distance of over 2200 miles during a period of approximately sixty hours.

Included in the conveniences of such train are many devices for the convenience and comfort of the passengers, most of which are in operation only for that purpose and during the period in which such cars are contained in the train. These include the axle generators, from which all electric current used on the train is secured, all the electric lights, the air conditioning apparatus, individually operated electric fans or ventilators, outlets for operation of electric shavers, equipment in the barber shop, electric utensils or conveniences in the diner, etc. Some of this apparatus is in cars of the railway company proper, and some in cars of the Pullman Company, operated as a part of such through train. Regardless of what amount of inspection, regulation, repair, or maintenance work is performed by shopmen at terminals, there is always existent a liability for individual failures or maladjustments to develop, which would be immediately reflected in inconvenience, discomfort, or complaint from passengers. To obviate such condition, the inspectors check all of these many details, as to their actual satisfactory performance in transit, and any failures therein are promptly taken care of. Such check may, and upon occasion, does show that some electric regulating equipment is not functioning properly, and in such case, necessary adjustment is made. This is particularly true of voltage regulators, which may vary in accordance with the distance the train is moving, seasonal or climatic conditions, etc. For example, a car may depart from Chicago at a temperature of something in the neighborhood of the freezing point, may run into blizzard conditions and temperature of 40 below zero on the prairies, and thereafter strike the year-around temperature of about 60 degrees in the interior of the eight mile Cascade tunnel; or, in the reverse direction, may start the trip with the usual Coast temperatures of 40 above or more. Regardless of the regularity and particularity of terminal inspection or regulation, those conditions must be met if the standard of service is to be maintained.

Whether or not such check and adjustment in the course of a trip involves little or much performance of actual use of a screw driver, a wrench, or a meter depends upon the conditions as they may exist, or upon the degree of efficiency with which work at terminals has been performed. It is impossible to determine the satisfactory functioning of the apparatus other than by the results shown in actual service, and such check by a supervisory employe is entirely proper.

The method of handling, as described, has been in effect for many years, and the supervisory inspection service thus maintained includes a responsibility on the part of the inspector not only for any electric apparatus, but for any other condition in the equipment, mechanical or otherwise, which may necessitate attention or temporary repairs until such time as the train arrives at a terminal.

A piece of apparatus which is not functioning properly may, if not attended to, result in damage to itself or to other apparatus which it governs, in addition to the inconvenience or discomfort of passengers. Such emergency regulation or adjustments as are necessary to avoid either, by the inspector, are entirely proper.

The carrier specifically denies that such inspectors are doing work or are in position to do work, which properly can or should be performed by shop craft employes at terminals.

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 employe 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.

The parties to said dispute were given due notice of hearing thereon.

The employes' representative stated at the hearing before this Division that the work is now being handled in such a manner as to satisfy the dispute.

In view of the foregoing, this Division is dismissing the case with the right to resubmit when and if the question again becomes an issue.

AWARD

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: J. L. Mindling
Secretary

Dated at Chicago, Illinois, this 13th day of March, 1941.