

Award No. 1683
Docket No. 1583
2-PRR-URRWA-CIO-'53

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Edward F. Carter when the award was rendered.

PARTIES TO DISPUTE:

THE UNITED RAILROAD WORKERS OF AMERICA, CIO

THE PENNSYLVANIA RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYES: That within the meaning of the Controlling Agreement, S. Kessler, F. McClellan, J. A. McCoombs, J. Seamon, A. Pastore, R. A. Kelley, and P. A. McCann, electricians at 20th Street Engine Terminal and Broad Street Station Terminal, have been unjustly dealt with by the carrier, who failed to compensate these employes at the applicable rate of Grade C as set forth in the graded work classification for the type of work in question.

The claimants perform such work as locating trouble with and making necessary repairs to electrical equipment. This type of work requires high grade skill and the applicable rate of Grade C as outlined in the Controlling Agreement for electricians should be paid to claimants for the duties performed.

We are hereby filing claim on behalf of the claimants for the difference between Grade E and Grade C rate for all hours worked daily from March 1, 1950, until such time as claim is adjusted.

EMPLOYES' STATEMENT OF FACTS: At 20th Street engine terminal and Broad Street station terminal, the carrier maintains a force of electricians and employs S. Kessler; F. McClellan; J. A. McCoombs; J. Seamon; A. Pastore; R. A. Kelley; and, P. A. McCann, hereinafter referred to as the claimants, who perform work specified as Grade C, locating trouble with and making necessary repairs to electrical equipment as such.

Claimants are presently being paid Grade E rate which requires only that they be qualified to do general electrical work such as maintenance of equipment and machinery, battery repairing, etc., none of which these claimants are required to do.

Grade C electrical work requires men of high grade skill as outlined in graded work classifications as follows:

"Grade C

Armature winding.
Locating troubles.
Remote control sub-station repairman.

impose upon the carrier conditions of employment and obligations with reference thereto not agreed upon by the parties to this dispute. The Board has no jurisdiction or authority to take any such action.

CONCLUSION

The carrier has shown that the claim as filed is not one for adjudication by your Honorable Board, that the carrier is not required by the applicable agreement to reclassify the work and rate of pay in question, and that the claimants are not entitled to the alleged loss of earnings which is claimed.

Therefore, the carrier respectfully submits that your Honorable Board should deny the claim of the employees in this matter.

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.

Claimants were employed as electricians at the 20th Street Terminal and at Broad Street Station in Philadelphia, Pennsylvania. The work assigned included making an inspection of the locomotives serviced and making light running repairs. It involved the maintaining of electrical apparatus and equipment on electric locomotives, including locomotive lighting. If defects were discovered which could not be readily adjusted, repaired, or found, the locomotives were shopped elsewhere. The sole question contained in this dispute is whether the electrical work performed by these claimants is "E" Grade or "C" Grade work as it is classified in the electricians graded work classification rules.

Grade "C" work is classified as "Locating troubles" and includes the following explanation:

"Men of high grade skill qualified and assigned to do all work necessary in locating troubles with and making repairs to electrical equipment of all kinds."

Grade "E" work is classified as "Installing, maintaining and repairing electrical apparatus" and "Electric Locomotive Inspecting" and includes the following explanations respectively:

"Installing, maintaining and repairing generators, motors, transformers, oil switches, generator and switch-board control apparatus, measuring apparatus, protective apparatus, electric lighting fixtures, electric headlight turbo-generators, telephone and telegraph instruments, winding and insulating coils and all other work assigned."

"Men assigned to inspecting and testing electric locomotive electrical equipment, including MP 362 cab signal test incident to road failure. Does not include certifying to correctness of reports on PRR Form MP 162 E."

It is evident that distinguishing differences were intended as to the nature of "E" Grade and "C" Grade classifications of work. Claimants were assigned to the making of light running repairs and certain types of inspecting and testing of locomotives coming into 20th Street Engine Terminal and

Broad Street Station. This is "E" Grade work within the meaning of the work classification rule, even though locating troubles might to some extent be involved. Claimants were not assigned nor did they actually locate trouble with, and make repairs to, M.U. cars, elevators, moving stairs, A. C. passenger cars, passenger car lighting, ore unloaders, coal dumpers, cranes, or draw-bridge controls. In other words they were not assigned to do all work necessary in locating troubles with and making repairs to electrical equipment of all kinds. If in addition to the work of inspecting, testing and repairing of electric locomotive equipment at the points designated, they had been directed to locate trouble and make repairs to M.U. cars, elevators, escalators, electric cranes, etc., they would then have a valid claim for the "C" Grade work to the extent they were required to perform it. But in the present case they performed no work outside their assignment or outside the scope of the explanation of "E" Grade work as it appears in the electrician graded work classification agreement. It also appears that the rule has been so construed by the parties over the years.

Whether one is engaged in locating troubles is not, in itself, a decisive factor, although it is evidentiary. Any electrician engaged in repair and inspection work locates troubles in varying degrees. The record here shows that if serious difficulty is experienced in locating trouble, the locomotive is transferred to a more adequately manned shop. Claimants were not assigned to locate troubles and make repairs on all kinds of electrical equipment, nor does the record show that they performed work outside their assignment or beyond the scope of the explanation of "E" Grade work in the applicable graded work classification rule. Consequently they were performing "E" Grade work. A careful examination of Decision No. 24, System Board of Adjustment, Pennsylvania Railroad, dated December 1, 1948, Decision No. 288, System Board of Adjustment, Pennsylvania Railroad-Long Island Railroad, dated October 9, 1946; and the Agreement dated July 26, 1951, between the Pennsylvania Railroad and the officers of the U.R.R.W.A.-C.I.O., will reveal their consistency with the above holding.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 14th day of July, 1953.