

Award No. 2804

Docket No. 2693

2-PULL-EW-'58

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Livingston Smith when the award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 122, RAILWAY EMPLOYEES'
DEPARTMENT, AFL (Electrical Workers)**

THE PULLMAN COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That the current agreement is being violated when The Pullman Company is assigning other than electricians to operate a motor generator to charge batteries at Calumet Shops.

2. That accordingly the carrier be ordered to compensate an electrician starting with July 2, 1956, eight hours per day for each day that this violation continues.

EMPLOYEES' STATEMENT OF FACTS: Under date of July 11, 1956, a claim was submitted to Mr. W. D. Lundberg, manager, Calumet shops (Exhibit A, pages 1 and 2) with a request for a hearing which was held on August 29, 1956; a copy of this hearing record is submitted and identified as Exhibit A. This claim was for violation of Rules 2 and 5(a) when management assigned other than electrical workers to the operation of a motor generator to charge batteries.

Under date of September 27, 1956, Manager Lundberg denied our claim; a copy of this denial is submitted and shown as Exhibit B.

Under date of October 2, 1956, we appealed this decision to Mr. Dodds, appeals officer; a copy of this appeal is submitted herewith and identified as Exhibit C.

Under date of November 23, 1956, Mr. Dodds denied our appeal; a copy of this denial is submitted herewith and identified as Exhibit D.

Under date of November 29, 1956, we notified Mr. Dodds, that this decision was not accepted; a copy of this notice is submitted herewith and identified as Exhibit E.

company has shown that the adjustment claimed is excessive. Finally, the company has shown that awards of the National Railroad Adjustment Board clearly support the position of the company in this dispute.

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.

Claim is here made by the organization that the terms of the effective agreement were violated when electricians covered thereby were not called to operate a Charge-O-Matic HX generator unit used to charge batteries of electric lift trucks assigned for use in the shop storeroom.

The record indicates that electricians performed all electrical maintenance repair on the trucks in question as well as making periodic inspections and tests of the batteries on such vehicular equipment and that the issue here concerns only the charging of batteries thereon.

This function is accomplished by removing a plug on the battery in the truck, plugging in a plug from the Charge-O-Matic machine, setting a timer thereon and pulling a switch. The machine automatically cuts off when the "charge" is completed.

It is clearly evident that no repair, maintenance, inspection or testing is involved in the performance of the above described operation. No special skill or training is required, so therefore we cannot conclude that this work is covered by the Scope Rule of the effective agreement, and therefore subject to performance by electricians, to the exclusion of all others. See Award 2064.

These claims lack merit.

AWARD

Claims denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 6th day of March, 1958.