

Award No. 3146

Docket No. 2931

2-MV-EW-'59

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Dudley E. Whiting when award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 22, RAILWAY EMPLOYEES'
DEPARTMENT, A. F. of L.-C. I. O. (Electrical Workers)**

MIDLAND VALLEY RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

(a) That under the current agreement the Carrier has improperly assigned the electric wiring of the switch stand lights which were wired in the shop yards at Muskogee, Okla.

(b) That accordingly the Carrier be ordered to compensate the aforesaid Electricians, W. A. Worrell and H. W. Roberts for 164 hours each at punitive rate, account of others than electricians performing the electricians work.

EMPLOYEES' STATEMENT OF FACTS: W. A. Worrell and H. W. Roberts hereinafter referred to as the claimants, are employed by the Midland Valley Railroad Company as electricians. These claimants are regularly assigned in the electrical department as hourly rated employes, working in the yard limits at the Midland Valley Railroad Co. roundhouse at Muskogee, Oklahoma.

During the period from September 26, 1956, and continuing through October 16, 1956, the carrier contracted to Mr. J. B. Dodson, the work consisting of installing lights on switch stands in the shop yards at an estimated contract price of \$20.00 for each switch stand with the carrier furnishing all materials. This work was performed by Mr. J. B. Dodson who is not an employe of the Midland Valley Railroad and four (4) other employes from the sectionmens' craft who hold no seniority rights as electrical workers.

The work herein involved was the wiring of 50 switch stands, and the material used in this work was furnished by the carrier, which consisted of approximately 4,430' of No. 8 underground cable, 3,210' of No. 14 underground cable and 350' of No. 18 royal cord, which was used from the bootleg to the lamp in the switch stand.

CONCLUSION

The carrier asserts that it has conclusively established that the claim in this docket is entirely lacking in either merit or agreement support and respectfully requests the Board to so find and deny the claim.

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.

Parties to said dispute were given due notice of hearing therein.

Rule 23 (b) specifies the consist of electricians' work under the agreement. It does not cover work on switch lamps, so the conversion of oil burning switch lamps to electric lamps is not the exclusive work of electricians under the agreement. Thus the claim cannot be sustained.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION

ATTEST: Harry J. Sassaman
Executive Secretary

Dated at Chicago, Illinois, this 25th day of March, 1959.