

The Second Division consisted of the regular members and in addition Referee Robert M. O'Brien when award was rendered.

Parties to Dispute: (International Association of Machinists and
(Aerospace Workers - AFL-CIO
(
(The Consolidated Rail Corporation

Dispute: Claim of Employes:

1. That the Consolidated Rail Corporation violated the Controlling Agreement, particularly the Scope Rule of the Agreement entered into by and between The Consolidated Rail Corporation and The International Association of Machinists and Aerospace Workers, dated May 1, 1979 when they required Electrician Mr. Sonick to make a nightly check of the air compressor at 13th Street, Pittsburgh, Pennsylvania and make repairs and check the oil level of same.
2. That accordingly, the Consolidated Rail Corporation be ordered to compensate Machinist J. H. Pipes in the amount of Three (3) hours daily, Sunday through Thursday, from January 20, 1980 until this claim is resolved.

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 waived right of appearance at hearing thereon.

The Employes assert that the Carrier violated the Agreement in effect between the parties, particularly the Scope Rule thereof, when it assigned Electrician B. J. Sonick, who was working for Amtrak on Diesel Locomotives at the former Pennsylvania Station in Pittsburg, to inspect and check the oil level on air compressor at 13th Street, Pittsburg, Pennsylvania. According to the Employes this task constituted building and road maintenance work. It therefore fell within the jurisdiction of the Machinists' Agreement, and should be performed by Machinists at this location.

The Carrier agrees that during his tour of duty Electrician Sonick makes a nightly check of the air compressor located at 13th Street, Pittsburg, Pennsylvania, for proper oil level. However, the Carrier stresses that Electrician Sonick does not make any repairs to the air compressor, nor does he add oil since oil is not available to him. Rather, he merely makes a report of the air compressor's condition, and if oil is needed a Machinist from Swissvale is dispatched to add the oil.


This Division agrees with the Carrier that the work performed by Electrician Sonick of checking the oil level in the compressor does not violate any rule of the Machinists' Agreement. Although the Employes suggest that Electrician Sonick also makes repairs to the compressor, this allegation is unfounded and not supported by any evidence in the record before us. The Employes have failed to establish precisely what repair work, if any, was performed by the Electrician. Consequently, the instant claim must be denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever
Executive Secretary

Dated at Chicago, Illinois, this 7th day of March, 1984