

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

Parties to Dispute; (International Brotherhood of Electrical Workers
(Consolidated Rail Corporation

Dispute: Claim of Employes;

1. That under the current Agreement, particularly the Graded Work Classification of Mechanics, Helpers and Apprentices in the M of E Department - Electricians' Work, the Consolidated Rail Corporation be ordered to allow the applicable Electricians' "C" rate of pay as of December 27, 1982, for the following Electrician positions at Selkirk, N.Y. Diesel Shop; and that the "E" rate allowed is improper:

- RA-6
- A-6
- A-8
- A-9
- A-12
- RB-2
- RB-3
- B-6
- B-7
- B-9
- B-13

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence finds that:

The carrier or carriers and the employes 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.

In the controlling Agreement, the Graded Work Classification reads in part:

"C-Grade-Locating Troubles - 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."

"E-Grade-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 equipment, including MP 362 cab signal test incident to road failure. Does not include certifying to correctness of reports on PRR Form MP162 E."

As interpreted by previous decisions of this Board (see Award 1683), the essential distinction that exists between C Grade Work and E Grade Work is:

1. The skill and responsibilities required of the men assigned to do the work;
2. That the words "locating troubles" which appears in the C Grade Classification quoted above is not a decision factor in distinguishing E Grade rate and C Grade rate work;
3. The E Grade men are generally specialists in a particular class or apparatus upon which they work (in the instant dispute just diesel electric locomotive equipment); and to a large extent they remain in that class of work during the major portion of their service; and
4. The C Grade men were highly skilled and have broad experience and training in the electrical field and are qualified for assignment to electrical equipment of all kinds.

The Organization contends that Claimants were assigned all work necessary in locating troubles with and making repairs to electrical equipment of all kinds of locomotives. This contention is based upon words in the C-Graded Work Classification such as "persons of high grade skill", "qualified to do all work necessary", and "locating troubles with and making repairs to electrical equipment of all kinds." In the Board's opinion, this is not very persuasive. Claimants were not assigned to locate troubles and make repairs of all kinds of electrical equipment, nor does the record show Claimants were not assigned to work beyond the scope of the "E" Grade.


The Organization also asserts that the Carrier seeks to render the "C" rate without practical meaning or application.

In the Board's view, classifying part or all of the present "E" Grade Work constitutes a revision of the current Agreement beyond Board authority. The decision in Award 1683 and Decision 288 is controlling under the present Agreement and governing in the instant dispute. The Graded Work Classification is a matter of negotiations between Management and Employees.

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 19th day of February 1986.