

The Second Division consisted of the regular members and in addition Referee Peter R. Meyers when award was rendered.

PARTIES TO DISPUTE: (International Brotherhood of Electrical Workers
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(Terminal Railroad Association of St. Louis

STATEMENT OF CLAIM:

1. That the Terminal Railroad Association of St. Louis violated Rules 26, 85 and 86 of the April 1, 1945 controlling agreement, and Article III of the September 25, 1964 National Agreement when the Carrier assigned Machinist Bowen and Foreman Ochoa to change the forward reverser on Engine 1502 thereby depriving Electrician B. R. Odom of his contractual rights to said work under the provisions of the Agreement on April 6, 1984.

2. That, accordingly, Carrier be ordered to compensate Electrician B. R. Odom two (2) hours and forty (40) minutes at time and one-half (1 1/2) for April 6, 1984.

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.

As third parties in interest, the American Railway & Airway Supervisors Association and The International Association of Machinists & Aerospace Workers were advised of the pendency of this dispute. The International Association of Machinists & Aerospace Workers filed a Submission with the Division, American Railway & Airway Supervisors Association did not file a Submission with the Division.

At the time of this incident, Claimant was employed as a first-shift electrician by the Carrier. On April 6, 1984, Machinist Bowen and Foreman Ochoa changed the forward reverser on Engine 1502 at Carrier's Madison Yard. The Organization thereafter filed a time claim on Claimant's behalf, asserting that this work is electrical craft work.


This Board has reviewed the evidence in this case, and we find that the Organization has failed to meet its burden of proof that the Carrier was guilty of a rule violation. Therefore, the 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 16th day of March 1988.