

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Form 1

Award No. 12546
Docket No. 12348-T
93-2-91-2-205

The Second Division consisted of the regular members and in addition Referee John C. Fletcher when award was rendered.

(International Brotherhood of Electrical
(Workers
PARTIES TO DISPUTE: (
(Duluth, Missabe and Iron Range Railway
(Company

STATEMENT OF CLAIM:

- "1. That the Duluth Missabe and Iron Range Railway Company violated Rules 29 and 74 of the current Shopcraft Agreement dated October 1, 1979, when Machinists were assigned to connect and disconnect traction motor leads on Locomotive 167 (317) which was under major modification, overhauling and improvement.
2. Accordingly, the Duluth Missabe & Iron Range Railway Company be ordered to pay Electrician Tim F. Scott four (4) hours at the overtime rate and Electrician W. T. Aho four (4) hours at the straight time rate."

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 waived right of appearance at hearing thereon.

As Third Party in Interest, the International Association of Machinists and Aerospace Workers was advised of the pendency of this dispute, but chose not to file a submission with the Board.

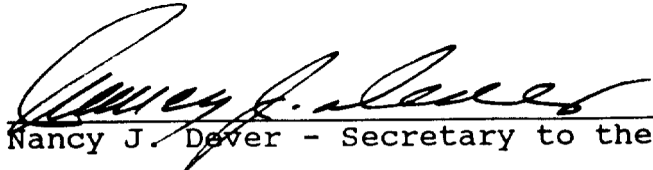
The basic issues involved in this Claim are identical in all respects to those decided in Second Division Award 11932, involving these parties. This Claim concerns a contention of the Organization that its Agreement was violated when members of the Machinist craft disconnected and reconnected traction motor leads when engaged in the task of rebuilding a locomotive. In Award 11932, the Board indicated that this work clearly fell within the scope of the Shop Crafts' Incidental Work Rule as it was ancillary to the primary task. The Organization has not demonstrated that Award 11932 is erroneous. It controls on this property and will be reaffirmed here.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Secretary to the Board

Dated at Chicago, Illinois, this 21st day of July 1993.