

**Award No. 1480**

**Docket No. 1374**

**2-SAL-FO-'51**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**SECOND DIVISION**

The Second Division consisted of the regular members and in addition Referee Edward F. Carter when award was rendered.

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**PARTIES TO DISPUTE:**

**SYSTEM FEDERATION NO. 39, RAILWAY EMPLOYEES'  
DEPARTMENT, A. F. of L. (Firemen & Oilers)**

**SEABOARD AIR LINE RAILROAD COMPANY**

**DISPUTE: CLAIM OF EMPLOYEES:** 1. That there is no authority in the current agreement, custom or practice for the substitution of employees from the craft of electrical workers for stationary firemen as occurred in the power plant at Jacksonville, Florida, effective October 28, 1949.

2. That accordingly the carrier be ordered to restore stationary firemen to service for the performance of all work of their classification and additionally compensate first, second and third shift stationary firemen the difference between the laborer's rate received and the stationary firemen's rate, which they were entitled to earn retroactive to the aforesaid date.

**EMPLOYEES' STATEMENT OF FACTS:** Prior to October 28, 1949, the carrier maintained three shifts of stationary firemen around the clock seven (7) days per week at Jacksonville, Florida. Effective that date installation of so-called automatic boilers, three in number, was completed and all stationary firemen laid off while their firemen's duties were arbitrarily turned over to electrical workers who are under another agreement and seniority group.

Appropriate representation was made to the carrier well in advance of this violation and they were urged to retain these claimants to perform the work of their classification.

The case was handled from bottom to top with carrier officials designated to handle such affairs, who all declined to adjust the dispute.

The agreement effective November 1, 1946, together with revisions is controlling.

**POSITION OF EMPLOYEES:** It is the employees' position that maintenance of steam pressure in stationary boilers is exclusively the work of stationary firemen under the controlling agreement, irrespective of method or fuel used. In the instant case, oil was substituted for coal, while to a limited extent, use of the old method of firing by motor driven coal stokers was within itself automatic. The fireman was responsible for the operation

tion of oil burning equipment with respect to the first main duty of a stationary fireman, that of handling the fuel (coal), the present fuel used (oil) is fed into the boiler automatically and will so operate regardless of whether or not an employe is present. This operation is identical with the automatic oil burning units we find used today in many homes for heating purposes. Such units will operate the entire winter season, in a majority of the cases, without any attention. The second main duty of a stationary fireman, that of cleaning out the ashes, is entirely eliminated with the oil fired burner, however, it is necessary to clean out the carbon from the jets of these oil burning boilers, which is performed with a small  $\frac{3}{8}$ " x 36" rod. As shown in the carrier's Exhibit A, this is a minor job and requires only a small amount of time. The third main duty of a stationary fireman, that of maintaining the water level in the boiler, was performed by the stationary firemen by visual check of the water level and manually operating the injector when the boilers needed additional water. The water level in the present oil burning boilers is maintained automatically and the same remarks apply here with respect to the automatic maintenance of the water level as was said with respect to the automatic feeding of oil into the boiler.

#### SUMMARY:

1. The installation of automatic oil burning boilers in the power plant at Jacksonville, Florida was another step in the progress of this railroad. The efficiency derived from such installation was another step in placing and keeping this company on a sound financial basis.

2. The abolishment of the positions held by the stationary firemen and the maintenance of the positions held by the powerhouse engineers did not, in any way, violate the intent and spirit of the agreement between this carrier and the firemen and oilers' organization as all the duties of a stationary fireman were eliminated. The need for only one employe on each shift was necessary and this carrier maintained the highest rated employe and the employe who was entitled to perform the remaining duties.

3. This carrier has shown that there is only a very small amount of work remaining in the powerhouse at Jacksonville that could, in any way, be compared to the duties of a stationary fireman.

4. The employes' claim (in Part 1 of their claim as stated) states that the carrier has substituted employes of another craft for stationary firemen. This is denied by the carrier as there has been no substitution; instead, the former duties of the stationary firemen were eliminated and the services of stationary firemen were no longer required.

In consideration of the above facts and circumstances, carrier respectfully requests that the claim be denied as without merit.

**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.

The parties to said dispute were given due notice of hearing thereon.

Prior to October 28, 1949, carrier maintained three shifts of stationary firemen around the clock and seven days per week at Jacksonville, Florida. On that day the installation of three automatic controlled boilers was com-

pleted. All of the stationary firemen were laid off and the boilers were thereafter operated by power house engineers who are electricians selected from the ranks in that group.

Before the installation of the automatic boilers, the power plant at Jacksonville was operated by a powerhouse engineer and a stationary fireman on each shift. The boilers were coal burning and stoker operated. The powerhouse engineers maintained all electrical equipment, supervised the stationary firemen, and were responsible for the efficient operation of the plant. The stationary firemen did the actual firing of the boilers, cleaned out the ashes, and maintained the proper water level in the boilers.

In September, 1949 and following, automatic oil burning boilers and equipment were installed. Thereafter there was no coal to be handled, no ashes to be removed, and the water level in the boilers was automatically maintained. The oil was fed into the fire box automatically. The carrier contends that the new automatic equipment eliminated the work of stationary firemen and that it was for this reason that they were laid off. The organization contends that the work of a stationary fireman is still there and is now being performed by the powerhouse engineer. The claim is for the restoration of the stationary firemen's positions and the adjustment of compensation at the stationary firemen's rate since the date the stationary firemen were laid off.

When the automatic equipment was placed in service, powerhouse engineers were retained to operate the boiler room and handle switches and controls incident to the new operation. There are three boilers in the powerhouse capable of a maximum pressure of 150 pounds and producing 500 h. p. each. Only two are operated at a time but operations are rotated so that each is used about the same length of time over a given period. Carbon is cleaned from burners once during each shift and each boiler is blown down each shift. The starting up and shutting down of the boilers is done by switch manipulations.

It is quite evident to us that a powerhouse engineer is required on each shift. He can perform all the work necessary to the operation of the power plant. The main work previously performed by stationary firemen is now performed automatically. The organization contends the stationary firemen are needed to keep a constant watch that steam pressures and water levels are maintained. The record shows that safety devices protect the plant against these claimed dangers. The maintenance of safety is the prerogative of management and it is clearly for management to prescribe the essentials to safe operation.

Most of the work of stationary firemen at Jacksonville is being performed by new automatic, electric equipment. The remaining work is of such a character that it may properly be performed by powerhouse engineers.

Progress in the form of labor saving devices has always brought about disturbances in the application of collective agreements. It is not the rule that a member of a craft whose work has disappeared with the introduction of new equipment, is entitled to continue in his position even if only to watch the equipment operate. Telegraphers' positions have disappeared with the advent of teletypes, telephones, and similar improvements. Block operators have lost work and positions by the introduction of the centralized traffic control systems. Crossing watchmen and flagmen have suffered because of the automatic crossing signal. The positions of members of the crafts whose work is gone have been properly abolished, even though members of other crafts must maintain and repair them to keep them operating. Progress takes its toll from many crafts but such fact is not a bar to the abolishment of unneeded positions resulting therefrom. The work of the stationary firemen at Jacksonville has practically disappeared and consequently their positions can be abolished. Powerhouse engineers, whose main

duties still remain, can do all the work of operating the powerhouse. Under the circumstances shown, the stationary firemen cannot properly complain of carrier's action in abolishing their positions. They have simply become the unwitting victim of man's ingenuity.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

ATTEST: Harry J. Sassaman  
Executive Secretary

Dated at Chicago, Illinois, this 2nd day of August, 1951.