

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

Parties to Dispute: ( Union Railroad Company  
(  
( United Steelworkers of America, A. F. of L. -  
( C. I. O. - Local 1913

Dispute:

The Carrier received the following grievance dated February 23, 1971:

"Employees from Maintenance of Way performing Electricians work and leaving this work in unsafe conditions.

Maintenance of Way laborers at East Pittsburgh Office assembling, disassembling, and washing fluorescent fixtures. They are assembling these fixtures improper and the Electricians have to follow behind to make up for their mistakes. This is unsafe, and, if there isn't an Electrician at East Pittsburgh Office and one of the fixtures falls and someone gets hurt, Maintenance of Way will claim this is not their work.

We request that Maintenance of Way employees cease doing Electricians work and outside Electricians be paid for past electrical work performed by Maintenance of Way.

We request four hundred hours (400 hours) for work performed by Craig Galley, Bob Long, Al Chernega, Dale Anderson, and Herbie Baugh, for work that should be done by the electricians.

/s/ F. E. Trusky  
Electricians Committee"

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.

This controversy was brought before this Board on motion of the Carrier to secure resolution of an "unadjusted dispute between it and the Organization".

Throughout its submission Carrier repeats and reiterates that the work assigned to be done by employees other than electricians was the removal, cleaning and reinstalling of "crates or shields" of fluorescent lighting fixtures at Carrier's General Office Building. It further states repeatedly that the assignment was "based upon existing practice" and that this had been the procedure followed regularly for many years. The Organization did not file a rebuttal and therefore these allegations of the Carrier must be assumed to be valid.


Neither in its submission nor in attachments thereto reflecting handling of its grievance on the property does the Organization cite a Rule of the Controlling Agreement between the Parties upon which it relies for the claim submitted. The Job Evaluation program and job descriptions set forth therein do not create the exclusivity for doing the work involved in the craft for which the claim was made.

A W A R D

Carrier's position on this claim is sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest: Executive Secretary  
National Railroad Adjustment Board

By   
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 25th day of June, 1974.