

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

Parties to Dispute: ( System Federation No. 42, Railway Employees'  
( Department, A. F. of L. - C. I. O.  
( (Electrical Workers)  
(  
( Seaboard Coast Line Railroad Company

Dispute: Claim of Employees:

1. That the Seaboard Coast Line Railroad Company violated the current working agreement, particularly Rules 93 and 26(a) of the current agreement, as well as the December 20, 1967 Letter of Understanding, when Carrier assigned Machinist Lavender to perform Electrician's work of reconditioning, resurfacing and/or dressing of generator sliprings on SCL Diesel Unit 1765, on December 8, 1975.
2. That, accordingly, the Carrier be ordered to compensate Electrician S. C. Freeman for four (4) hours at the pro rata rate.
3. In addition, that Carrier be ordered not to assign machinists or any other craft other than Electricians to perform the work mentioned in this dispute.

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 dispute arises out of the decision of the Carrier to remove a work task from an electrician, represented by the IBEW, and reassign it to a machinist, represented by the IAM&AW. The work involved the dressing or turning of a slipring on the alternator (or generator) of a Diesel locomotive, while in place. Of apparent importance here was the device used to effect such corrective action to the slipring, including the material or part of the device that came in contact with the marred surface of the slipring.

According to the Organization, the honing or corrective device was a modification of an existing one manufactured commercially and had been used, since its introduction on the property some several months prior to date of the incident prompting this dispute (December 8, 1975), by electricians. The Organization also points to the undisputed right of electricians to recondition slipping surfaces where such are in place on alternator/generator on running units using other devices with a "diamond embedded cutting stone."

According to the Carrier, the nature of this work places it within the jurisdiction of the machinist craft due to its similarity to a lathe operation (the device in dispute here uses a "tool bit," which is adjustable, according to the Carrier ) and because the Carrier has made previous assignments to machinists; the Carrier asserts the instant assignment was made to the electrician in error and was violative of its past practice.

The Carrier asserts this to be a question of jurisdiction between the two Organizations which would prompt implementation of the December 20, 1976 "Letter of Understanding" intended to resolve such disputes. We note that while the work was in-place on an operative unit, rather than being performed in a shop, representations are made on the record by both electricians and machinists to having performed such work. We also note that the IAM&AW has intervened asserting claim to such work.

We are compelled to conclude that there is, indeed, a question of jurisdiction here and that this Board, under the circumstances, is neither equipped nor authorized to interpose itself in the resolution of this dispute.

A W A R D

Claim denied.

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 17th day of October, 1979.