

The Second Division consisted of the regular members and in addition Referee Robert M. O'Brien when award was rendered.

Parties to Dispute: ( International Brotherhood of Electrical Workers  
( Southern Railway Company

Dispute: Claim of Employees:

1. That the Southern Railroad Company violated and continues to violate the current working Agreement when on or about January 23, 1980 and every Wednesday thereafter, supervisors assigned electrical work, maintenance and repair of all Blue Flag Lights in the forwarding yard at Sevier Yard in Knoxville, Tennessee to two Carmen S. L. Carrier and W. D. Hilbert, which is work reserved to the electrical craft by agreement and which has been historically performed by electricians from the electricians seniority roster.

2. That accordingly, the Southern Railroad Company compensate Electricians J. T. Cade and J. W. Hussell, Sr., for five (5) hours pay each at straight time rate beginning on January 23, 1980 and every Wednesday thereafter.

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.

The facts which gave rise to the instant claim are not in dispute. Claimants are the regularly assigned Electricians employed at Carrier's Sevier Yard Shop in Knoxville, Tennessee. On or about June 23, 1980, Carmen were instructed to replace the dry cell batteries in the Blue Flag Lights they use to provide protection while working on or about cars in the forwarding yard in the Sevier Yard. Carmen evidently replaced these batteries on a weekly basis.

The Employes contend that Carrier improperly assigned electrical work to Carmen, that is, the maintenance or repair of all Blue Flag Lights in the forwarding yards at Sevier Yard. Such work, the Employes assert, is reserved to Electricians by Rule 124, their Classification of Work Rule. The Employes aver that Electricians were available to inspect and repair this lighting equipment; and to remove and install the batteries in the Blue Flag Lights.

The Carrier insists that no electrical maintenance or repair work was performed by Carmen on the Blue Flag Lights. Rather, they merely replaced the dry cell batteries in the lights they used to protect themselves while working on or about cars. According to the Carrier, replacement of the batteries is a simple task requiring no electrical skills. No electrical connections are made and no tools are used in replacing the batteries, the Carrier maintains.

Initially, the Division finds that, notwithstanding the Employees' contention, Carrier did not violate the time limits prescribed by Rule 35. The evidence reveals that the Carrier received the claim on October 13, 1981 and denied it on December 11, 1981. Consequently, Carrier obviously denied the claim within the sixty day time limit set forth in Rule 35(a)(1).

Clearly, the maintenance and inspection of storage batteries is work reserved to Electricians by Rule 124, the Classification of Work Rule. However, the Employees have not convinced this Division that any work reserved to Electricians was performed by Carmen at Sevier Yard. All the Carmen did was to replace the dry cell batteries in Blue Flag Lights they used to provide protection while they worked on or about cars in the yard. In our judgment, this was a task that could be performed by Carmen since it involved no particular skill, no tools, no electrical knowledge, and no electrical training. Rather, it entailed a relatively simple task that could be performed by Carmen. Since the work in dispute did not constitute the "maintaining, repairing, rebuilding, inspecting and installing of...storage batteries", it was not impermissible for Carmen to perform it. Accordingly, the instant claim must be denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest.   
Nancy J. Lever -Executive Secretary

Dated at Chicago, Illinois, this 8th day of May 1985.