

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Award No. 10743
Docket No. 10561
2-DM&IR-EW-'86

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

(International Brotherhood of Electrical Workers
Parties to Dispute: (
(Duluth, Missabe and Iron Range Railway Company

Dispute: Claim of Employees:

1. That the Duluth, Missabe and Iron Range Railway Company violated Rule 74 of the current Shopcraft Agreement when it wrongfully assigned a Radio Department employe to install on a board relays, and terminal strips and to also wire these items on March 25 and 28, 1983.

2. That, accordingly, the Duluth, Missabe and Iron Range Railway Company be ordered to pay Electrician T. C. Barby eight (8) hours pay at the straight time rate for electricians.

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.

On March 25, 1983, it was necessary that certain work of an electrical nature be performed at Carrier's Proctor Scale House. The Carrier states that it was necessary that a "relay and terminal board" be constructed and wired. The Carrier assigned the work to an employe of the Communication Department, with the title of Radio Technician, and who held seniority in the Communication Department only. Upon complaint of a representative of the Electrical Workers that the work should have been assigned to an Electrician, the Carrier removed the Radio Technician from the assignment and replaced him with an Electrician, the Claimant herein.

The Carrier states that the Claimant completely re-did the work which the Radio Technician had started and saw the project through to completion. This contention of the Carrier is not controverted.

We have carefully reviewed Rule 74 of the applicable Agreement, described by the Organization as the Classification of Work Rule for Electricians - not Radio Technicians. From our review of Rule 74 and the entire record before the Board, we conclude that the work involved was

properly assigned to an Electrician. We will sustain the claim of a violation of Rule 74. However, as the Claimant completely re-did the work which the Radio Technician had started and completed the work, he suffered no loss and the monetary portion of the Claim will be denied.

A W A R D

Claim sustained in accordance with the Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 19th day of February 1986.