

The Second Division consisted of the regular members and in addition Referee W. J. Peck when award was rendered.

(International Association of Machinists and
(Aerospace Workers
Parties to Dispute: (
(Southern Railway Company

Dispute: Claim of Employees:

1. That the Southern Railway Company violated the controlling Agreement, Rule #34, but not limited thereto, when they unjustly suspended Machinist J. A. Banks, Atlanta, GA, from service without pay, beginning 11:00 PM Wednesday February 29, 1984 and ending 11:00 PM Friday March 2, 1984.

2. That accordingly, the Southern Railway Company be ordered to pay Machinist J. A. Banks for all lost time wages, with all rights unimpaired and clear his record of the charge.

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 employees involved in this dispute are respectively carrier and employees 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 were given due notice of hearing thereon.

The Carrier maintains a repair facility at Atlanta, Georgia, employing various Shop Craft Mechanics including Machinists. On date of February 1, 1984 Claimant worked on the traction motor wheeling line where he apparently installed a defective traction motor suspension bearing assembly on Traction Motor No. 82D31017. This motor was later applied to Locomotive No. 7046. The locomotive was however only able to travel 125 miles when it had to be set out due to high temperature of the axle as detected by a "hot box detector." The failure of the motor was later determined to be caused by the faulty traction motor suspension bearing wick lubricator assembly installed by the Claimant. The traction motor was removed from the locomotive and returned to the Atlanta Motor Shop. Damages to the traction motor were \$5425.00.

After a preliminary and then a formal Investigation the Claimant was assessed a three day suspension and a written reprimand was placed in his personal file.

The Employes contend that the Claimant did not deserve the written reprimand and did not deserve the suspension given him after the formal Investigation.

The Employes further contend that Claimant "was not properly trained for this job," that he did not assemble but merely installed it, that he did "properly perform his duties to the best of his ability" and that it was lack of experience on his part that caused him to overlook the faulty equipment.

We do not find these contentions persuasive, the Claimant had been a Machinist at this facility for more than 5 1/2 years, and according to his Local Chairman he had worked all over the Shop. The problem on this "wick" was merely the act of hooking up two small springs, an extremely simple task, and by his own admission he had had previous experience in this work as shown by the following testimony of the Claimant:

"Q. On the maintenance line or in the filter house, did you ever have occasion to remove or reapply wicks?

"A. Yes I did.

"Q. And where was this, filter house, maintenance line?

"A. On the maintenance line?

"Q. Could you tell me why you did that?

"A. To make sure that the wicks had spring tension.

"Q. And you have done that before?

"A. Yes I have.

"Q. So you are familiar with spring tension on the wick lubricator of a traction motor?

"A. Yes sir."

In this case simply for failure to hook up two small springs more than \$5000.00 of damages was done to this motor.

The Claimant also, admits being at fault when he stated in part:

"* * * I don't think I should have taken the whole responsibility"

* * * *

"I, I just don't think I should have ah, if anything I should have gotten an oral reprimand, because it was my first day and I didn't know."

Considering the extent of the damage to the motor, the very simple task required to have prevented it, the fact that the Claimant has admitted that he had worked with this same equipment before (although not at this particular location) and did know that spring tension was required to hold this wick in place, we do not feel that this penalty was excessive. We will deny the Claim.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest:


Nancy J. Fever - Executive Secretary

Dated at Chicago, Illinois, this 1st day of October 1986.