

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD  
SECOND DIVISION

Award No. 12369  
Docket No. 12323  
92-2-91-2-140

The Second Division consisted of the regular members and in addition Referee Eckehard Muessig when award was rendered.

PARTIES TO DISPUTE: (International Brotherhood of Electrical Workers  
(Soo Line Railroad Company

STATEMENT OF CLAIM:

1. That the Soo Line Railroad Company violated the current agreement, particularly Par. (1) when it assigned Electronic Technician J. K. Martinovich, on November 4, 11, 18 and 25, 1984, to work on communication equipment in the Radio Shop at Shoreham without the supervision of a Communication Maintainer.

2. That, accordingly, the Soo Line Railroad Company should be ordered to compensate the Claimant F. L. Anderson, for eight (8) hours at the rate of time and one half, for each of the above mentioned dates, at the current rate of pay.

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.

This claim arose because the Claimant asserted that an Electronic Technician was allowed to perform his duties without the supervision of a Communication Maintainer. In claiming the violation to the Agreement, the Claimant relies upon the Electronic Technician Classification which contains language to the effect that the Technician works under the "supervision of a Communication Maintainer."

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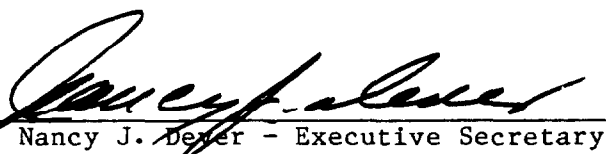
The Organization, on the property, has advanced its claim mainly based on the assertion that the Carrier's interpretation of the Agreement is erroneous and unrealistic. However, it has not met its burden of proof on the property of showing that the Agreement has been violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:

  
Nancy J. Dwyer - Executive Secretary

Dated at Chicago, Illinois, this 1st day of July 1992.