

NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION

Form 1

Award No. 12542
Docket No. 12115-T
93-2-90-2-247

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

(International Brotherhood of Electrical
Workers
PARTIES TO DISPUTE: (
(Consolidated Rail Corporation (Conrail)

STATEMENT OF CLAIM:

- "1. Claim of Electrician W. E. Sebring for eight (8) hours pay at the current overtime rate for each named date, account the Consolidated Rail Corporation improperly assigned others to perform Electricians' work at Frontier Diesel Terminal, Buffalo, New York on various named dates from June 13 to August 7, 1989, as set out in our claims submitted to the Carrier for each date of occurrence which are attached hereto as our Exhibits 'A-2', and which are covered by Carrier's System Docket No. EL-30, Albany Division Case No. 70-9-15-00031, file attached as our Exhibits 'A-1' to 'A-31'; and
2. Claims of Electrician W. E. Sebring for eight (8) hours pay at the current overtime rate for each named date, account the Consolidated Rail Corporation improperly assigned others to perform Electricians' work at Frontier Diesel Terminal, Buffalo, New York on various dates from June 13 to August 7, 1989, as set out in our claims submitted to the Carrier for each date of occurrence which are attached hereto as our Exhibits 'B-1', and which are covered by Carrier's System Docket No. EL-31, Albany Division Case No. 70-9-14-00032, file attached as our Exhibits 'B-1' to 'B-22'."

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.

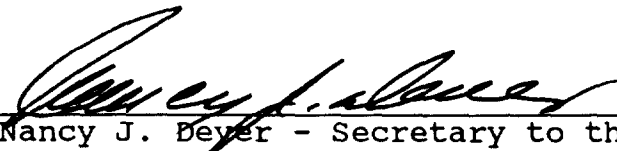
As Third Party in interest, the International Association of Machinist and Aerospace Workers was advised of the pendency of this dispute and filed a submission with the Board.

Throughout the handling of this Claim, Carrier has challenged the Organization to demonstrate just what work, reserved to Electricians, a Machinist and/or Foremen performed on the dates of claim. In this record the Organization has not been specific. Instead, only vague generalizations have been advanced that Electrician's Craft work is being performed in violation of its Agreement. Vague and generalized allegations are inadequate to support a sustaining award. The claim will be denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: 
Nancy J. Beyer - Secretary to the Board

Dated at Chicago, Illinois, this 21st day of July 1993.