

**NATIONAL RAILROAD ADJUSTMENT BOARD
SECOND DIVISION**

Award No. 13106
Docket No. 12912-T
97-2-94-2-80

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

(Brotherhood of Railway Carmen, Division of
(Transportation Communications International Union
PARTIES TO DISPUTE:(
(CSX Transportation, Inc. (former Baltimore and
(Ohio Railroad Company)

STATEMENT OF CLAIM:

"Claim of the Committee of the Union that:

1. That the Carrier violated Rule 138; of the controlling Agreement as revised and reprinted January 1, 1980, on February 19, 1992 when Carmen's Classification of work was performed by a Machinist Helper.
2. That the Carrier be ordered to pay Carman H. L. Harbaugh the amount of two (2) hours and forty (40) minutes call time."

FINDINGS:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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.

As Third Party in Interest, the International Association of Machinists and Aerospace Workers was advised of the pendency of this dispute and chose to file a Submission with the Board.

On February 19, 1992, Carman R. Hamilton was assigned the job of removing a handbrake from Engine 6244 and installing a new handbrake. This work was performed in the Roundhouse on pit 6 at the Carrier's Cumberland, Maryland, Locomotive Shop. A Machinist Helper assisted Carman Hamilton with this assignment by lifting the handbrake after Carman Hamilton disconnected it. He also helped lift the new handbrake in place for Carman Hamilton to install it.

The Organization claims that the work assigned to the Machinist Helper was work exclusively reserved to Carmen by Classification of Work Rule 138 and therefore a Carman should have been given an overtime call to perform this craft work. It is noteworthy that Rule 138 does not expressly reserve lifting handbrakes to Carmen. Lifting a handbrake does not require any special skills, knowledge or training, in the opinion of this Board. It is not the type of work generally recognized as Carmen's work. Nor has this work been performed exclusively by Carmen on this property by custom, practice or tradition.

Even if the unskilled work assigned to the Machinist Helper was considered work reserved to Carmen by Classification of Work Rule 138, a Carman would not have been given an overtime call to help lift the handbrake on February 19, 1992, because this task was so de minimis. Carman Hamilton expended a total of one and one-half hours removing a handbrake and installing a new one on Engine 6244. The Carrier estimates that the Machinist Helper spent approximately 30 minutes assisting Carman Hamilton with this assignment. A Carman would not have been called on overtime to perform such a de minimis unskilled task. The instant claim is therefore denied.

AWARD

Claim denied.

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ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Dated at Chicago, Illinois, this 7th day of March 1997.