

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21032
Docket Number SG-20746

Dana E. Eischen, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
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(Terminal Railroad Association of St. Louis

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Terminal Railroad Association of St. Louis:

On behalf of Vacation Relief Signal Maintainer B. H. Tipp for two hours and forty minutes at the time and one-half rate for Lead Signalman account of Maintenance of Way employe oiled switch plates and points on several switches at the "Q" Tower Interlocking Plant, May 19, 1972.
[Carrier File: 013-311-15]

OPINION OF BOARD: This claim seeks payment of a call at the punitive rate because a Maintenance of Way employe assigned to oil yard switches on May 19, 1972 erroneously applied oil also to switch plates and points on several switches at Carrier's Q-Tower Interlocking Plant. It is undisputed that interlocking switch plates and points should not be lubricated with oil but rather with graphite and that the Interlocking Plant switches in question had been graphited by Claimant the day before on May 18, 1972. As a result of this error, the switches had to be cleaned and re-graphited by Signal Department employes.

Essentially, the Claimant urges that the erroneous application of oil violated the Signalmen's Agreement Scope Rule, a so-called "general" scope rule. In all of the peculiar circumstances of this particular case we cannot agree. Oiling graphite switches is not work reserved to Signalmen by the Scope Rule or by custom, practice and tradition; though lubricating with graphite may be. The former is meaningless and mistaken activity which in fact created additional work for employes under the Signalmen's Agreement rather than depriving Claimant of work belonging to him, or diverting his work to another. We shall deny the claim.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. W. Paulsen
Executive Secretary

Dated at Chicago, Illinois, this 15th day of April 1976.