

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 25546

Docket Number SG-25802

Stanley L. Aiges, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Consolidated Rail Corporation

STATEMENT OF CLAIM: Claim on behalf of the United General Committee of the Brotherhood of Railroad Signalmen on the Consolidated Rail Corporation that:

Carrier violated the current Agreement between the parties, particularly the Classification Rule, when on December 10, 1983, it abolished the only position of Electronic Technician on Seniority District 12 and distributed the electronic work among lower rated employees. The claim seeks immediate re-establishment of an Electronic Technician position in District 12 and the claimant, Mr. Skudlarek, be compensated for the difference between the rate of Electronic Technician and the lower rated position which he was forced to exercise seniority to, from December 10, 1983, until such position is re-established. (System Docket 2058-C Central Region BRS1-83)

OPINION OF BOARD: This claim grows out of the Carrier's abolishment of the only Electronic Technician position on Seniority District 12. The result was that the work performed by Claimant (the incumbent of that position) was reassigned to other employees. The Organization seeks the immediate reinstatement of Claimant's former position and a make whole order. It relies largely upon the Agreement's Classification Rule.

This Board has held in a number of earlier cases that a Classification Rule is not a job description designed to preserve certain duties. Rather, a Classification Rule is primarily designed to effectuate and protect rates of pay. In no sense are they "exclusive grants of work to each classification." (See Third Division Award 12668.)

There is no evidence before us which can support a claim that a Electronic Technician has an exclusive right to perform the work in dispute. Nor is there any requirement in the Agreement which would require the Carrier to maintain a specific number of jobs in that classification. Accordingly, this claim must be denied as lacking merit.

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 Employees involved in this dispute are respectively Carrier and Employees 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

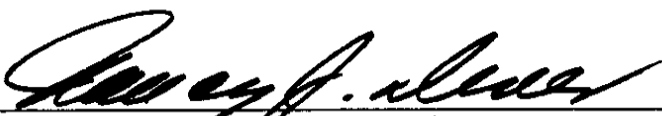
That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 26th day of July 1985.

