

NATIONAL MEDIATION BOARD

PUBLIC LAW BOARD NO. 5512

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

and

NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)
NORTHEAST CORRIDOR

AWARD NO. 2

System Docket No. NEC-BMWE-3213

STATEMENT OF CLAIM

1. The Agreement was violated when the Carrier failed to bulletin a position for an electrician-relay, but instead assigned Electronic Technician W. Vile to perform the work of testing relay at the Zoo Substation beginning January 7, 1993 and continuing, instead of upgrading and assigning Substation Electrician T. O'Malley.

2. As a consequence of the violation referred to in Part (1) above, Substation Electrician T. O'Malley shall be compensated "the rate difference from sub-station electrician to relay electrician for each day of the violation starting with January 3, 1993 and subsequent work day until this claim is resolved".

FINDINGS

In this dispute, the Organization argues that an employee qualified as an Electrician-Relay should have been upgraded to that position when an Electronic Technician was assigned to perform work regularly assigned to an Electrician-Relay. This issue is closely

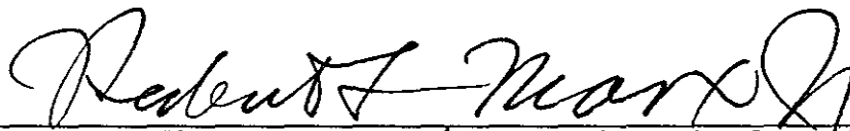
related to that reviewed in detail in Award 4, which is incorporated herein by reference.

The Carrier disputes whether the Electronic Technician was engaged solely in work normally performed by an Electrician-Relay or whether this was only a portion of his assignment in connection with usual Electronic Technician duties.

Award 4 requires the Carrier and the Organization to meet to address the entire relationship of Electrician-Relay and Electronic Technician duties. Until this occurs, the Board is not able to determine the outcome of this and closely related claims. Such claims should be reviewed as part of the interchange directed in Award 4.

A W A R D

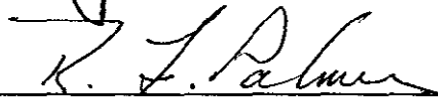
Claim disposed of as provided in the Findings.



HERBERT L. MARX, Jr., Chairman and Neutral Member



TED DODD, Employee Member



RICHARD F. PALMER, Carrier Member

NEW YORK, NY

DATED: *May 22, 1985*