
MAINE CENTRAL RAILROAD COMPANY * PUBLIC LAW BOARD 4068
PORTLAND TERMINAL COMPANY * CASE NO. 34
AND * CLAIM NO. T-85-233
UNITED TRANSPORTATION UNION * DATE OF AWARD: APRIL 3, 1987
(C & T) *

On February 4, 1987 the undersigned Public Law Board met to consider the following dispute. Bradley L. Peters represented the Carrier. E. A. Phillips represented the Union.

STATEMENT OF CLAIM

"Conductor A. E. Genest, Yardmen R. G. Cook and V. C. Tardiff, time slip No. 3 dated 11-2-84, . . . "Claiming one additional straight time day account doing work normally performed by yard checkers (clerks) calling car numbers into yard office per Yardmaster's instruction."

THE FACTS

On November 2, 1984 Yardmaster Camic requested Yard Conductor A. E. Genest, Yardmen R. G. Cook and V. E. Tardiff to switch out two 20,000 series cars and add them to cars which had previously been made up for train PI-2 to pick up. The Yardmaster requested Yard Conductor Genest to furnish the car numbers of the cars selected. At the time there was a Yard Checker on lay off.

The Union filed the present claim asserting a violation of Article 7.

CONTENTIONS OF THE UNION

The Union contends that the calling in of car numbers is the work of the Yard Checker Clerk represented by BRAC who had been on layoff; and that such assignment of the work of another class and craft would be improper. It urges the claim be sustained.

CONTENTIONS OF THE CARRIER

The Carrier contends that the Yardmaster had the authority to instruct the Yard crew to select a certain type of car; and that he also had the right to request that the Conductor take note of the car numbers thereon as necessary information. It asserts the amount of work was insignificant to perform while he and the crew were on duty and under pay; and that there is no grounds for a claim for additional pay for the conductor let alone the crew.

DISCUSSION

There is no question that the Yardmaster had the authority to assigned the crew to cull out the two 20,000 series cars. Although the Yard Checker may have responsibility to check the content of the Yard and make listings of car numbers; that assignment in this case was not a mere checking, but an assignment to move cars. In any such movement the conductor has to exercise some observation skills to assure he has selected the appropriate cars for movement. Those skills, when exercised in conjunction with car movement, are conductor skills and not an exercise of or encroachment on the work of the Yard Checker.

Similarly when the cars were selected, the notation and articulation of those car numbers was an ancillary portion of the conductor's responsibility.

To hold as the Union argues would require a Yard Clerk to mouth any car numbers relied upon or necessary for reporting car movements regardless of the work involved. We find the reporting of the car numbers was an integral part of the Conductor's responsibility and not an infringement on any other crafts skill. Even if there had been a Yard Checker present, the task would still have been done as it was in his absence.

AWARD

The claim is denied.

Arnold M. Zack

Arnold M. Zack, Chairman and
Neutral Member

Bradley L. Peters

Bradley L. Peters, Carrier Member

E. F. Lyden

E. F. Lyden, Union Member