

PUBLIC LAW BOARD NO. 3572

PARTIES) NORFOLK AND WESTERN RAILWAY COMPANY
TO)
DISPUTE) UNITED TRANSPORTATION UNION

STATEMENT OF CLAIM: Claim listed in favor of P-D District Engineer A. J. Shrewsbury, November 12, 1985, allow one day account of replacing headlight in unit 1384 at Plunkett.

FINDINGS: This Public Law Board No. 3572 finds that the parties herein are Carrier and Employee within the meaning of the Railway Labor Act, as amended, and that this Board has jurisdiction.

In this dispute the claimant engineer was employed on the P-D District of the Pocahontas Division on October 31, 1985. The claimant reported for duty on that date at Plunkett, West Virginia, which is an outlying on-off duty point. When the claimant reported, he found the headlight lamp in Unit 1384 not working and was unable to get any information from shop personnel. He therefore put a locomotive headlight lamp in Unit 1384. He then filed a claim for "one electrician day account of replacing headlight in Unit 1384".

The Union points up that the Carrier had no electricians assigned to Plunkett, West Virginia, at the time of the above incident.

The Carrier contends that prior to July of 1985, whenever minor work of that nature had to be performed the Carrier dispatched an electrician from Mullens, West Virginia, some twenty-five miles away. Thereafter, that service was discontinued, and the nearest electrician to Plunkett was located at Bluefield, which is forty-five to fifty miles away. Thereafter, the Carrier had its ARSA hostler and laborer contract supervisors at Mullens drive to Plunkett when necessary, in order to put in locomotive headlight lamps.

The Organization contends that when the claimant engineer notified the dispatcher that his engine needed a headlight, he was instructed to put it in. The Organization points up that the claimant had to obtain the headlight from the cabinet which carried 660 volts, and that rules prohibited engineers from opening the cabinet.


The Board has reviewed the evidence of record and finds that the engineer is not required to obtain the headlamp and to replace

it as was done in this instance. The Organization in its claim states that the claimant notified the dispatcher of the problem and was instructed to put it in. However, the claimant, in filing his claim, made no such statement. Section 1149 states . . . train and engine service employees must not open high voltage cabinets while engine is under load.

The Carrier has alleged that the claimant was not instructed to replace the headlight but did so on a voluntary basis.

There simply is no evidence that the claimant was instructed to replace the locomotive headlight lamp. For that reason, and that reason only, the claim is denied.

AWARD: Claim denied.


Preston J. Moore, Chairman


Union Member


Carrier Member

March 19, 1987