

The Second Division consisted of the regular members and in addition Referee Gene T. Ritter when award was rendered.

Parties to Dispute: (System Federation No. 42, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Electrical Workers)
(
(Seaboard Coast Line Railroad Company

Dispute: Claim of Employees:

1. That the Seaboard Coast Line Railroad Company violated the current working agreement, particularly Rules 1(a) and 29(a), when Carrier assigned Assistant Signal Maintainers to perform work of Seaboard Coast Line Communications Maintainers on the dates of April 9 and 10, 1974.
2. That, accordingly, the Carrier be ordered to additionally compensate Communications Maintainers P. E. Oliver and Orbie Davis, Jr. twelve (12) hours pay each, at their punitive rate of pay.

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

This Claim is in behalf of communication employees resulting from two separate work assignments in which both communication employees and signal employees were engaged. Both crafts (communication and signal employees) unloaded communication and signal line poles from a gondola car at Waycross Storage Yard on April 9, 1974; and replaced two communication and signal line poles. The Signalmens' Organization was made a party to this dispute and their statement, filed in the record of this Appeal, is hereby acknowledged.

It is the opinion of this Board that Carrier did not violate the Electrical Workers' Agreement by utilizing both communication employees and signal employes in the performance of the involved work. The poles which were unloaded from the freight car were poles used in both signal and communication line work. The record discloses that it is an established

practice that various crafts have historically handled poles irrespective of the craft assigned to the installation thereof. The poles involved in this claim were to be used jointly for communications and signal cables, lines, etc. Therefore, both the signal employees and the communication employees had equal claim to this work. For the reason that the involved poles were for the purpose of supporting both signal and communication wires, it was entirely proper that employees of both crafts participated in this work. (See Second Division Award Nos. 5644 and 5781).

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By


Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 25th day of January, 1977.