

**Award No. 9064**  
**Docket No. SG-8423**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION**

**Howard A. Johnson, Referee**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILROAD SIGNALMEN OF AMERICA**

**THE ATCHISON, TOPEKA AND SANTA FE RAILWAY  
COMPANY—Eastern Lines**

**STATEMENT OF CLAIM:** Claim of the General Committee of the Brotherhood of Railroad Signalmen of America on the Atchison, Topeka and Santa Fe Railway Company that:

The positions of Signal Maintainers with headquarters at Joliet, Willow Springs, and McCook should have been classified as CTC Signal Maintainer, and the Signal Maintainers assigned to these positions, which are presently assigned to O. M. Middleton, W. L. Gladbach and J. L. Almond, be paid the difference between the rate of pay of Signal Maintainer and the rate of pay of CTC Signal Maintainer beginning January 1, 1955, which is 60 days prior to the date claim was presented, and continuing so long as these positions are a part of the continuous CTC system between eastward approach circuits west of Romeo, near Mile Post 32, and the westward approach circuit east of McCook Station, near Mile Post 9 on the Illinois Division.

**EMPLOYES' STATEMENT OF FACTS:** The Signal Section, Association of American Railroads, defines Centralized Traffic Control as follows:

"A term applied to a system of railroad operation by means of which the movement of trains over routes and through blocks on a designated section of track or tracks is directed by signals controlled from a designated point without requiring the use of train orders and without the superiority of trains.

"Centralized traffic control is the term used to designate the complete modern system that has been developed to provide an economical means for directing the movement of trains by signal indications without the use of train orders.

Agreement which specifically states that such installations do not change the classification of signal maintainer.

Since the Carrier has established beyond a shadow of a doubt that (1) neither all nor a part of the claimants' assigned sections or territories are included in a continuous CTC installation and (2) the installation which is the basis of the Employees' claim is simply an "individual segregated remote control installation", as that term is used in Article I, Section 6-(b) of the Signalmen's Agreement, it should be obvious that the Employees, are, through the medium of their claim in the instant dispute, attempting to have the Board amend or revise the aforementioned Article I, Section 6-(b) by eliminating the last sentence thereof. Without reciting the numerous awards of the Third Division that have so held, it is sufficient to say that the Board has repeatedly and consistently recognized that it is without authority to add to, take from or otherwise amend or revise agreement rules as written and agreed to by the parties to a dispute.

In conclusion, the Carrier respectfully reasserts that the claim of the Employees in the instant dispute is wholly without merit or support under the Signalmen's Agreement and should, for the reasons previously stated herein, be either dismissed or denied in its entirety.

The Carrier is uninformed as to the arguments the Organization will advance in its ex parte submission and accordingly reserves the right to submit additional facts, evidence and argument as it may conclude are required in replying to the Organization's ex parte submission or any subsequent oral arguments or briefs placed by the Organization in this dispute.

All that is contained herein is either known or available to the Employees or their representatives.

(Exhibits not reproduced.)

**OPINION OF BOARD:** This Claim, presented on March 1, 1955, was that there was a "continuous CTC system between eastward approach circuits west of Romeo, near Mile Post 32, and the westward approach circuit east of McCook Station, near Mile Post 9 on the Illinois Division", as of January 1, 1955, and that the positions of Signal Maintainers with headquarters at Joliet, Willow Springs and McCook should have been classified as CTC Signal Maintainers as of that date.

A section of about 14.4 miles is involved in this claim. Its history is that on April 5, 1949, a mechanical interlocking plant at Romeo was eliminated and the 4 switches and 4 signals there were thereafter controlled by a control machine in the depot at Willow Springs, 11.9 miles to the east; on and after June 13, 1951, a switch and signal near McCook, about 2.5 miles east of Willow Springs, were controlled by the control machine there; on April 9, 1953 the control machine was replaced by a larger one to control the Romeo and McCook switches and signals and also to replace a mechanical interlocking plant at Willow Springs; on July 9, 1953, traffic reversal was extended from Willow Springs to Mile Post 14.2 near McCook; when this claim was presented on March 1, 1955, the control machine at Willow Springs controlled 14 signals and 7 switches nearby, 4 signals and 4 switches near Romeo, and 6 signals and 4 switches near McCook.

Time Table No. 91, then in effect, did not designate this section or any part of it as CTC territory, but designated it entirely as within the Automatic

Block System, the Operating Rules for which are inconsistent with those for CTC in referring (Rule 514) to "other authority" than signals.

This section was also designated in the Time Table as traffic reversal territory, by Special Rule No. 7, providing as follows:

**"7. TRAFFIC REVERSAL.**

"Between Interlocking MP 3.1 and Joliet U. S.

"Operators will **not display proceed signal** for movement against the current of traffic **without train order authority**, except operators may authorize such movements entirely within yard limits.

"If trains are to use the other main track without signal indication, move must be authorized by numbered clearance card endorsed. 'Use . . . . . Track'.

"If train or engine is stopped by a stop signal, it must stay until authorized to proceed by signal, or telephone advice from the operator. Be governed by Rule 509(a).

"To avoid misunderstanding, instructions or information received by telephone must be repeated to employes from which received and names and occupations of employes stated.

"Switch indicators are operative only with normal direction of traffic. At switches where there is no head out signal, obtain permission from operator before occupying main track regardless of position of switch indicator. If communication fails, main track may be used under flag protection with front and rear protected until next home signal is passed.

"Except as affected by these rules block signal and train rules remain in force." (Emphasis added.)

Thus train movements over this area are governed, not solely by signal indications, but also by train orders. Therefore under the definition and description of CTC adopted by the parties this territory cannot be said to have been designated as CTC territory. The Agreement is the same, and the facts, arguments and issues essentially the same as in Awards 9060 and 9061, and for the reasons therein stated this Claim must be denied.

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employes involved in this dispute are respectively Carrier and Employes 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.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of THIRD DIVISION

ATTEST: S. H. Schulty  
Executive Secretary

Dated at Chicago, Illinois, this 18th day of November, 1959.