

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Louis Yagoda, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

CLINCHFIELD RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Clinchfield Railroad that:

(a) The Carrier violated the current Signalmen's Agreement, as amended, particularly Rules 4, 5, and 8, when, on February 12, 13, 17, 18, 19, and 20, 1959, maintenance employes (Leading SC&E Maintainer Stewart Adkins, SC&E Maintainers J. R. Wiggs and Russell Whitson, and SC&E Helper J. C. Edwards) performed work (installation of hot box detector at Fort Blackmore, Virginia) which was not part of their assignment in accordance with their bulletin assignments, and which deprived SC&E gang employes of work they should have done.

(b) The Carrier now compensate the following employes of Gang No. 10 for the amount of time shown at their respective present rates of pay:

Leading SC&E Man W. R. Patton, Jr., eight (8) hours for each day, February 12, 13, 17, 18, 19, and 20, 1959, for time worked by Mr. Stewart Adkins.

SC&E Man J. L. Sifferd, eight (8) hours for each day, February 12, 13, 17, 18, 19, and 20, 1959, for time worked by Mr. J. R. Wiggs.

SC&E Man H. B. Sykes, eight (8) hours for each day, February 12, 13, 17, 18, and 19, 1959, for time worked by Mr. Russell Whitson.

SC&E Helper Ray Hughes, eight (8) hours for each day, February 12, 13, 17, 18, and 19, 1959, for time worked by Mr. J. C. Edwards.

EMPLOYES' STATEMENT OF FACTS: From February 2 through 6, 1959, the Carrier required several employes of Signal Gang No. 10 to work at Fort Blackmore, Virginia, on the installation of a hot box detector. While doing this construction work, these gang employes were held away from the

OPINION OF BOARD: The claim made here is in essential respects of the same type made by the same Petitioning Organization against the same Carrier for the same employes (members of SC&E Gang No. 10) in a previous case involving other installations. That case was submitted to us under Docket No. SG-11926 and was decided by us in our Award No. 13021, by denial of Petitioner's claim.

For the same basic reasons stated therein, we must deny also the instant claim.

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 29th day of October 1964.