

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19266  
Docket Number SG-19198

Gene T. Ritter, Referee

(Brotherhood of Railroad Signalmen

PARTIES TO DISPUTE: (

(The Kansas City Southern Railway Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Kansas City Southern Railway Company:

On behalf of Signal Maintainer H. E. Souther for compensation at one and one-half times his straight time rate of pay for four hours on July 21, eight hours each on July 22 and 23, and four hours on July 24, 1969, account other than signal employees (SERVITRON personnel) performing work in connection with taking inventory of signal material, equipment and supplies at Pittsburg, Kansas. (Carrier's File: 013.31 - 90)

OPINION OF BOARD: On the four claim dates in question a special inventory of signal supplies and materials at Pittsburg, Kansas was conducted by a Signaller Helper and a representative from an outside engineering firm. The Employees contended that this constituted a violation of their Scope rule and past practice.

The record in this case indicates that the instant work is not covered by the Scope rule of the controlling agreement and, further, that there is no showing that, per past practice, that this work has been performed exclusively by employees of the Signaller's craft. We will deny the claim.

FINDINGS: The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

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

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Claim denied.

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By Order of Third Division

ATTEST: E. G. Killen  
Executive Secretary

Dated at Chicago, Illinois, this 9th day of June 1972.