

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19510
Docket Number SG-17296

Robert M. O'Brien, Referee

(Brotherhood of Railroad Signalmen

PARTIES TO DISPUTE: (

(Southern Pacific Company (Pacific Lines)

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Southern Pacific Company (Pacific Lines) that:

(a) The Southern Pacific Company violated the current Signalmen's Agreement effective April 1, 1947 (reprinted April 1, 1958 including revisions) when it failed and/or declined to apply the Scope Rule, which resulted in the violation of Rule 70, by assigning recognized signal work of installing switch heaters at both switches at the crossover at the Great Northern junction, and both switches at the crossover on the west end of Southern Pacific Yard, Klamath Falls, Oregon, to employees who are not covered by the Signalmen's Agreement.

(b) Leading Signalman E. G. White; Signalmen Larry Barker, Glenn Phipps, and W. R. Anderson be allowed eight (8) hours each at their respective rates of pay for May 25, 26, 27, 31, June 1, 2, 3, 7, 8, 9, 10, 14, 15, 16, 21, 22, 23, 28 and 29, 1966. (Carrier's File: SIG 152-202)

OPINION OF BOARD: The dispute arose when Carrier assigned other than signal employees to install electric switch heaters at various locations in Oregon between May 25 and June 29, 1966.

The parties, the issues and the applicable Rules are identical to those present in Award 19506, and for the reasons stated therein the claim will 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 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.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

E. A. Kallen
Executive Secretary

Dated at Chicago, Illinois, this 30th day of November 1972.