

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19511  
Docket Number SG-17155

Robert M. O'Brien, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen  
(Southern Pacific Company (Pacific Lines)

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

(a) The Southern Pacific Company violates the current Signalmen's Agreement dated April 1, 1947 (reprinted April 1, 1958 including revisions) when it fails and/or declines to apply the Scope Rule, which results in violation of Rule 70, by assigning the generally recognized signal work of maintenance of switch heaters to employees not covered by the Signalmen's Agreement.

(b) Mr. G. M. Nisle be allowed eight (8) hours at his Signal Maintainer rate of pay for each calendar week that the Carrier continues to violate the agreement as shown in paragraph (a) above, commencing February 28, 1966. (Carrier's File: SIG 152-197)

OPINION OF BOARD: The dispute arose when Carrier assigned other than signal employees to maintain switch heaters at various locations on its property.

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. Killen*  
Executive Secretary

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