

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19513
Docket Number SG-17297

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 (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 the recognized signal work of installing switch heaters at both ends of the Bray, California siding to employees not covered by the Signalmen's Agreement.

(b) Leading Signalman E. G. White; Signalmen Larry Barker, Glen Phipps, and W. R. Anderson be allowed eight (8) hours each at their respective rates of pay for May 16, 17, 18, 19, 20, 23 and 24, 1966. (Carrier's File: SIG 152-201)

OPINION OF BOARD: The dispute arose when Carrier assigned other than signal employees to install electric switch heaters at various locations in California between May 16 and May 24, 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. Kellum
Executive Secretary

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