

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19616
Docket Number SG-19420

Frederick R. Blackwell, Referee

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

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

(a) The Southern Pacific Transportation Company (Pacific Lines) violated the Agreement between the Company and the Employees of the Signal Department, represented by the Brotherhood of Railroad Signalmen, effective April 1, 1947 (reprinted April 1, 1958, including revisions) and particularly the third paragraph of Rule 4 which resulted in violation of Rule 70.

(b) Mr. R. C. Walker be paid the difference between his rate of I&ding Signal Maintainer and the rate of Signal Foreman for March 10, 11, 12, 13, 17, and 18, 1970 -- a total of forty-eight (48) straight-time hours and one-half (1/2) hour overtime. [Carrier's File: SIG 145-164]

OPINION OF BOARD: This dispute arises under Agreement between the parties, effective April 1, 1957 and reprinted with revisions on April 1, 1958.

The issue raised herein is identical to the issue raised in Award NO. 19615, which involves the same parties, the same property, and the same claimant. Consequently, for the reasons set forth in the opinion in Award No. 19615, we shall also deny the claim herein.

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.

RATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: E. A. Killen
Executive Secretary

Dated at Chicago, Illinois, this 27th day of February 1973.