NATIONAL RAILROAD ADJUSTMENT BOARD

Award Number 19952

THIRD DIVISION Docket Number X-19527

John H. Dorsey, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(The Illinois Central Railroad Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Illinois Central Railroad Company:

On behalf of Signal Maintainer D. W. Henry for six (6) hours additional pay at pro rata rate for each date June 12, 19, 26, and July 3, 1970; and on behalf of Signal Maintainer T. L. Hirte for additional pay at pro rata rate for one (1) hour and forty-five (45) minutes on June 12, six (6) hours each date June 19 and July 1, four (4) hours July 2, and six (6) hours July 3, 1970, account Carrier required them to suspend work of their regular assignment and patrol track which is customarily and traditionally done by regular assigned track patrolman not covered by the Signalmen's Agreement and who is represented by the Maintenance of Way Employees' organization. (Carrier's File: 135-222-167, Case No. 256 Sig.)

OPINION OF BOARD: The basis of the claim is that patrolling track is outside the Scope of the Signalmen's Agreement and that Carrier's action of assigning such work to Signal employes was in violation of: (a) the Scope Rule; (b) Classification Rule 107; and (c) Rule 208, Suspension of Work to Absorb Overtime.

Work outside the Agreement may be assigned to employes covered by the Agreement. See, for example, Awards No. 11923, 12793 and 15478.

Rule 107, relied upon by the Petitioner, does not support the claim.

We find no evidence in the record to support a finding that Claimants were "required to suspend work during regular working hours to absorb overtime."

For the foregoing reasons we will deny the claim.

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

That the parties waived oral hearing;

That the Carrier and the Employes Involved in this dispute are respectively Carrier and Employes 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 Carrier did not violate the Agreement.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A.W. Paulos
Executive Secretary

Dated at Chicago, Illinois, this 26th day of September 1973.