

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number **20050**
Docket Number SG-19739

Dana Eischen, Referee

(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(**Louisville** and Nashville Railroad Company

STATEMENT OF CLAIM: Claim of the General ~~Committee~~ of the Brotherhood of Railroad Signalmen on the Louisville and Nashville Railroad Company:

On behalf of the two senior employes in the ~~Signal~~ Repair Shop for 80 hours each at their overtime rates account Signal Testers performing shop work in the field.

Carrier's File: G-304-20; G-3047

OPINION OF BOARD: Between August 11 and August 19, 1970, two Signal Testers (employes within the coverage of the Agreement between the parties) performed the work of adding copper slugs to certain electromagnetic relays in the Carrier's signal system.

Petitioner contends that the work performed by the Testers was so performed in violation of Rule 2 and Appendix "L" of the ~~parties'~~ Agreement and, moreover, was ~~violative~~ of the general practice on the property. The Carrier counters that the work in dispute is not ~~exclusively~~ reserved to employes of the Signal ~~Repair~~ Shop at **Louisville**, Kentucky.

After careful ~~consideration~~ of the record, we find that neither the Agreement provisions ~~relied~~ upon nor ~~evidence~~ of practice on the property indicates that the parties have reserved the work in ~~dispute~~ to the employes at the **Louisville Repair Shop** to the ~~exclusion of other~~ Signal Department employes in the ~~Carrier's~~ service. We will dismiss the claim.

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 ~~Employes~~ involved in this dispute are respectively Carrier and ~~Employes~~ within the meaning of the Railway Labor Act, as approved June 21, 1934;

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That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the claim should be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ~~ADJUSTMENT~~ BOARD
By Order of Third Division

ATTEST: *A.W. Paulus*
Executive Secretary

Dated at Chicago, Illinois, this 30th day of November 1973.