

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20420
Docket Number SG-20451

Irwin M. **Lieberman**, Referee

(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(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 that:

(a) The Southern Pacific Transportation Company 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 **Rule 13**, which resulted in violation of **Rule 70**.

(b) Claimants designated G. M. Gunter, G. W. Smith, and M. O. Waits be compensated at their respective overtime rates of pay for June 15, 1972 when junior **employees** Mr. W. A. Anderson, Leading Signalman and Mr. D. E. **McClain**, Signalman, were used to perform overtime work from 4:00 PM - 9:00 PM with an additional half-hour pay for meal **time** which **amounts** to five and one-half (5 1/2) hours at time and one-half rate. Carrier's File: SIG-148-214/

OPINION OF BOARD: The issue involved in this dispute, concerning the assignment of overtime, is whether the employees in the Sacramento Signal Shop of Carrier constitute a "gang" **within** the meaning of **Rule 13** of the Agreement .

The question herein has been decided in Awards 19920 and **20416** which are controlling. We concur with the opinions expressed therein.

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

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That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 27th day of September 1974.