NATIONAL RAILROAD ADJUSTMENT BOARD

Award Number 20784
THIRD DIVISION Docket Number SG-20594

Francis X. Quinn, Referee

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

STATEMENT OF CLAIM: Claims of the General Committee of the Brotherhood of Railroad Signalmen on the Southern Pacific Transportation Company (former Pacific Electric Railway Company) that:

Claim No. 1

(a) The Southern Pacific Transportation Company violated the current agreement between the (former Pacific Electric Railway Company) and its employes represented by the Brotherhood of Railroad Signalmen, effective September 1, 1949 (including revisions) particularly the Scope Rule and Rule 8 of Article 1, when it allowed a Signal Maintainer to perform work that belongs to the Bonder and Welders.

(b) Mr. L. Phillips and Mr. A. Lozano be allowed two hours and forty minutes at the time and one half rate for August 27, 1972.

(Carrier's File: SIG 152-315)

Claim No. 2

(a) The Southern Pacific Transportation Company violated the current agreement between the (former Pacific Electric Railway Company) and its employes represented by the Brotherhood of Railroad Signalmen, effective September 1, 1949 (including revisions) particularly the Scope Rule and Rule 8 of Article 1, when it allowed Signal Maintainers to perform the work that belongs to the Bonder and Welders.

(b) Mr. L. Phillips and Mr. A. Lozano be allowed six and one half hours at the time and one half rate for a bonder and welder: Call was from 9:30 P.M. on August 29, 1972, to 4 A.M. August 30, 1972.

(Carrier's File: SIG 152-316)

Claim No. 3

(a) The Southern Pacific Transportation Company violated the current agreement between the (former Pacific Electric Railway Company) and its employes represented by the Brotherhood of Railroad Signalmen,

effective September 1, 1949 (including revisions) particularly the Scope Rule and Rule 8 of Article 1, when it allowed three signalmen and one signal maintainer to perform work that belongs to the Bonder and Welders.

(b) Mr. Phillips and Mr. Lozano, Mr. Garcia and Mr. Bozaan be allowed twelve (12) hours at the time and one half rate for February 10, 1973. (Carrier's File: SIG 152-325)

OPINION OF BOARD: The specific claim in all of these cases is that Carrier violated the "Scope Rule and Rule 8 of Article I" when it permitted Signalmen or Signal Maintainers to "perform work that belongs to the Bonder and Welders".

In Award 20543 this Board thoroughly considered Petitioner's various contentions and found them lacking in merit. That decision was also found controlling in Award 20544 and is controlling in the instant cases.

Petitioner has failed to prove that the agreement reserved this work to the Claimants. Therefore the claims must be denied.

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;

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

Claims denied.

RATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A.W. Paulos
Executive Secretary

Dated at Chicago, Illinois this 31st day of July 1975.