

These understandings purportedly empower the Carrier to utilize roadway forces to accomplish minor disconnection and reconnection signal **work** incidental to roadway **work**, where the Carrier has first endeavored to get a signal maintainer to do such work without success. Such work, upon re-installation, will be accomplished to the satisfaction of the **signal** forces. It also points out that Signal Maintainer **Hinsley** was not only agreeable but considered the track force willingness to do such work a favor to **him**.

Nothing was adduced from the record to indicate that the "general guidelines" referred to by the Carrier had been reduced to writing or otherwise formalized. There was an allusory reference by letter **from the General Chairman** to the Carrier, in appealing a negative decision at an **earlier** step in processing this **claim**, to "guidelines" but such reference offered no **further** detail. Nonetheless, the Carrier **was clearly** not **trying** to evade its obligations to assign **and accomplish** such work with signal force **members**. **There was no reason for the Carrier to** assume it had **not satisfied its** contractual obligation by contacting Signal **Maintainer** Hinsley; his failure to perform the work or arrange for its performance by signal forces cannot **jeopardize** the Carrier.

me record **does not support the Organization's contentions** or the **claim** for punitive compensation for the **Claimant**.

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

The work performed was properly that of the signal **forces**, but sufficient reason existed to support the Carrier's actions in performing such work with roadway forces.

A W A R D

Claim is denied.

NATIONALRAILROAD **ADJUSTMENT** BOARD
By Order of Third Division

ATTEST: *A. W. Paulus*
Executive Secretary

Dated at Chicago, Illinois, this **14th** day of April **1978**.