

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22245
Docket Number X-22120

Louis Yagoda, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(Chicago and Illinois Midland Railway Company

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Chicago & Illinois Midland Railway Company:

On behalf of Signal Maintainer E. J. Gallant for one overtime call (2.67 hours at the time and one-half rate of pay) account A.C. feed for the battery charging system for the interlocker was removed, re-routed, and re-energized by shop electricians on June 23, 1976, after regular Signal Department hours."

/Case No. MP-BRS-4/

OPINION OF BOARD: Prior to the time in question, electric power to the basement of the Carrier's Springfield Station Building was furnished by an underground cable from the nearby interlocking-tower; it serviced furnaces, telephones and a signal battery charging system located there. A failure of the underground cable interrupted the electric service to each of those facilities. **Temporary restoration** of electric service to the telephone system was made by the Carrier's electrician, and to the signal battery charging system by the Signal Maintainer. Permanent restoration of service to the facilities in the basement was made by the Carrier's electricians by retiring the old underground cable and installing new wiring from the upper levels of the building; this included removing the temporary service to the Signal battery charging system and causing the newly installed service to furnish current to it.

Signalmen claim that the "...A.C. feed for the battery charging system for the interlocking was removed, rerouted, and re-energized by shop electricians..." in violation of the Signalmen's Agreement. The Carrier contends that all of the work involved here was reserved to its electricians and demands that the Board notify the International Brotherhood of Electrical Workers of the **pendency** of this dispute. The Board **has** given that notice and we have the submission of that organization before us.

While the Petitioner asserts that some of the work performed by the electricians is "signal work", he does not show us just what that work was; without such showing we are unable to determine from this record whether or **not** Petitioner's agreement with the Carrier reserves that work to Signalmen. We **must** therefore dismiss the claim.

FINDINGS: The Third Division of the Adjustment Board, after **giving** the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

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

That an agreement violation has not been shown.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. W. Paulose
Executive Secretary

Dated at Chicago, Illinois, this 30th day of November 1978.

