

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22786  
Docket Number SG-22515

James F. **Scearce**, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen  
(**Soo** Line Railroad Company

STATEMENT OF CLAIM: "Claims of the General Committee of the **Brotherhood**  
of Railroad Signalmen on the **Soo** Line Railroad Company:

Claim No. 1. (Carrier file: 900-8-58)

On behalf of Signal Maintainer **L. D. Suhsen**, headquarters Buffalo, Minnesota, for two hours **and** forty minutes at the **overtime** rate of pay account section forces **removing** signal **bond** wires during rail-changing work August 7, 1977, about 10 p.m., at Mile Post 30.5.

Claim No. 2. (Carrier file: 900-S-59)

On behalf of Signal Maintainer **T. J. Bengtson**, headquarters **Minneapolis**, Minnesota, for **six and** me-half hours at the overtime rate of pay account section forces removing signal bond wires during **rail**-changing work beginning about **10:30** p.m. August 25, 1977, at 26th Avenue North."

OPINION OF BOARD: The Claims herein relate to the cutting or breaking of signal wire bonds on rails, such events occurring while track forces were changing out rails. Although the track forces continued and **completed** the track change, the record indicates that they hid not repair or replace such bonds; this work was reserved for signal forces and **performed** by them.

The burden is upon the Organization to demonstrate exclusive jurisdiction over the breaking of such bonds. We find no such showing on the record. It seems evident that such work, i.e. the breaking of the bonds, has been performed **on** this property by other than signal forces. Under such circumstances, we find no basis to affirm for the Claimants.

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

The Agreement was not violated.

A W A R D

**Claims** are denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

*A. W. Pender*  
Executive Secretary

Dated at Chicago, Illinois, this 14th day of March 1980.

