

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award **Number** 23068
Docket **Number** SG-22897

Joseph A. Sickles, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(**Southern** Railway company

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on **the** Southern Railway Company et al.:

On behalf of Signalman P. M. Miller, for three (3) hours overtime he was denied when, on December 25, 1977, Superintendent G. C. **Chester** assisted in clearing signal trouble on the control machine at Chattanooga, Tennessee, when he went to the relay shop, picked up 'A' type relays and transported them to a signal maintainer who was coming south to **meet** him at the Adairsville exit **on** Interstate 75. The relays were to be used at once to clear the trouble on the control machine at Chattanooga. Signalman Miller, who is assigned to the relay shop, "as available to have performed this work on December 25, 1977, **and** should have been used."

OPINION OF BOARD: When a Signal Maintainer needed type "**A**" **relays** (located in signal shop "here **Claimant was** assigned) in order to clear certain trouble, he used a Superintendent to obtain the equipment and bring same to him. That action, according to the Employee, violated the portion of the Scope Rule which reserved to them the work of transporting materials, etc.

Although the Organization concedes that certain recent Awards have reached results contrary to its contentions here, it urges that they **are** incorrect and that they have ignored prior Awards to the contrary. Awards 21635, 21636 **and** 21637 (between these parties) would seem to be pertinent to this dispute and control the result.

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 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

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Pauls
Executive Secretary

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

