

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

William G. Caples, Referee

Award Number 24289
Docket Number SG-24377

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

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

On behalf of Mr. M. J. Haug for nine hours at the signal foreman's rate of pay (\$10.97 per hour), Messrs. R. W. Minter and D. Sauve for nine hours each at the leading **signalman's** rate of pay \$10.50 per hour), and Mr. J. Kresh for nine hours at \$10.36 per hour, account on August 6, 7, & 8, 1980, **communications** employees worked on **equipment** that is **related** to the Centralized Traffic Control (CTC) signal system that **runs** from **Shoreham** to Buffalo, Minnesota." (Carrier file: 900-46-B-124)

OPINION OF BOARD: Claimants are signal **employees** who claim pay for work performed by **communications** workers for which they were available. The Claimants did not cite any rule which substantiates their claims. **The** Carrier denied the claim on the basis that the work performed is not specifically mentioned in the Scope Rule, and is not reserved exclusively to signalman.

The Board **in** the view of that, **in** order to **prevail** under the Scope Rule at issue, the employees have a burden of **showing** that they have acquired the exclusive right to perform the work. We are unable to conclude that the **employees** have **made** such a showing on the record.

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

That the Agreement was not violated.

A W A R D

Claim denied.

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By Order of Third Division

Attest: **Acting** Executive Secretary
National Railroad **Adjustment** Board

By *Rosemarie Brasch*
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 14th day of April 1983.

