

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

Award No. 36626  
Docket No. SG-36262  
03-3-00-3-490

The Third Division consisted of the regular members and in addition Referee Nancy F. Eischen when award was rendered.

**PARTIES TO DISPUTE:** (Brotherhood of Railroad Signalmen  
(The Kansas City Southern Railway Company)

**STATEMENT OF CLAIM:**

**"Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Kansas City Southern Railroad (KCS):**

**Claim on behalf of L. D. Beisley, D. E. Bullington, B. J. Robertson, B. Fletcher, L. J. Milligan, K. L. Miller, L. Pigeon, Jr., R. A. Shelton, G. D. Taylor, G. L. Lansdale, P. W. Darity, R. E. Thomasson, F. D. West, and J. E. Abbott for payment of 13.7 hours each at the time and one-half rate, account Carrier violated the Current Signalmen's Agreement, particularly the Scope and Classification Rules (Rules 1 and 2), when on March 23, 24, 25 and 26, Carrier allowed Supervisory personnel to perform the duties of the Signal Maintainers, and deprived the Claimants of the opportunity to perform this work. This work consisted of field testing of a new PC based computer system used to replace the GRS main frame system for the centralized dispatching center in Shreveport, LA. Carrier File No. K0699-5316. General Chairman's File No. 9902001. BRS File Case No. 11278-KCS."**

**FINDINGS:**

**The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:**

**The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee within the meaning of the Railway Labor Act, as approved June 21, 1934.**

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute were given due notice of hearing thereon.

In a letter dated April 30, 1999, the Organization submitted a claim contending that on March 23-26, 1999, the Carrier violated Rule 1 - Scope and Rule 2 - Classification when it allowed two Carrier officers (Signal Engineer V. A. Jones and Manager Network Systems Coordinator D. T. Davis) to install and test PC based computers at Shreveport, Louisiana. The Organization also alleged that the Carrier had used field supervisors to assist Messrs. Jones and Davis, and that the work performed by said field supervisors "was on each of the Claimant's assigned territory." As a remedy, the Organization requested that the Carrier pay the Claimants 13.7 hours each at the time and one-half rate as compensation for the alleged loss of work opportunity.

The Carrier denied the claim maintaining that the installation of the new PC based system did not actually take place until May 29, 1999. The Carrier further maintained that the work performed by the supervisors was evaluation of the software package, and asserted that the verification and development of the same were not duties of Signal Maintainers.

In subsequent correspondence, the Organization alleged that the work in dispute consisted of testing existing field equipment which is Scope covered work. The Carrier again denied the appeal, asserting that the work in question was "Supervisor's work."

This is a companion case to Third Division Award 36568. For the reasons set forth in that Award, this claim is denied.

**AWARD**

**Claim denied.**

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**ORDER**

**This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.**

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**By Order of Third Division**

**Dated at Chicago, Illinois, this 29th day of July 2003.**