# Award No. 9060
# Docket No. SG-8419

## NATIONAL RAILROAD ADJUSTMENT BOARD

## THIRD DIVISION

**Howard A. Johnson, Referee**

---

## PARTIES TO DISPUTE:

## BROTHERHOOD OF RAILROAD SIGNALMEN OF AMERICA

## THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY—Eastern Lines

**STATEMENT OF CLAIM:** Claim of the General Committee of the Brotherhood of Railroad Signalmen of America on the Atchison, Topeka and Santa Fe Railway Company that:

> Signal Department installation between B. C. Jct. and Mile Post 70.8, on the Missouri Division, is a bona fide continuous CTC system and that the Signal Maintainer at Hardin, Missouri, should be classified beginning with October 1, 1953, in accordance with the provisions of Section 6-(b), Article I, and Section 1, of Article V of the current Signalmen's Agreement.

**EMPLOYES' STATEMENT OF FACTS:** The Signal Section, Association of American Railroads, defines Centralized Traffic Control as follows:

> "A term applied to a system of railroad operation by means of which the movement of trains over routes and through blocks on a designated section of track or tracks is directed by signals controlled from a designated point without requiring the use of train orders and without the superiority of trains.
>
> "Centralized traffic control is the term used to designate the complete modern system that has been developed to provide an economical means for directing the movement of trains by signal indications without the use of train orders.
>
> "General.
>
> "Briefly, centralized traffic control consists of a combination of automatic block systems and interlockings. Such a system may be adapted to any existing signal installation and may be applied to single or to two or more tracks.

otherwise amend or revise agreement rules as written and agreed to by the parties to a dispute.

In conclusion, the Carrier respectfully reasserts that the claim of the Employes in this instance is wholly without merit or support under the current Signalmen's Agreement and should, for the reasons stated herein, be either dismissed or denied in its entirety.

The Carrier is uninformed as to the arguments the Organization will advance in its ex parte submission and accordingly reserves the right to submit additional facts, evidence and argument as it may conclude are required in replying to the Organization's ex parte submission or any subsequent oral arguments or briefs placed by the Organization in this dispute.

All that is contained herein is either known or available to the Employes or their representatives.

(Exhibits not reproduced.)

**OPINION OF BOARD:** The claim is that the signal installation between Bee Creek Junction and Mile Post 70.8 on Carrier's Missouri Division, a distance of approximately eight miles, constitutes a continuous Centralized Traffic Control installation, and that the Signal Maintainer at Hardin, Missouri, who maintains it, should be classified as CTC Signal Maintainer as of October 1, 1953. The claim was presented on November 23, 1953, and is one of the first group of claims, seven in number, coming before this Board with reference to the new classification of CTC Signal Maintainer. The next six awards will deal with the other claims in that group.

The Brotherhood's Position is that this section of track is "a continuous CTC installation in itself" because (1) trains thereon are directed by signals controlled by a CTC machine at St. Joseph Terminal Yard Office; (2) that train orders and superiority of trains have no application there; and (3) that it is governed by Carrier's CTC Operating Rules, in that Rule 650 makes Rule 261 effective in CTC territory, and that the Carrier's time table governing operations makes Rule 261 effective in this territory.

The Carrier's Position is that this section of its property is not controlled by CTC, but by an individual segregated remote control installation, as it was before the new classification became effective. With reference to the three points advanced by the Brotherhood it answers: (1) that the section is controlled as before the new classification became effective, by a remote control machine, that CTC uses remote control machines, and that the equipment used does not identify the control system in which it is used, because the same equipment may be, and frequently is, used in CTC, Interlocker, Automatic Block, Automatic Train Control, Remote Control, and other types of signal installations; (2) that the section in question is governed by time table rules, within the definition of remote control as defined by the parties, whether the time table rules eliminated train superiority or not; and (3) that the section has not been designated as CTC territory, is not subject to CTC Rules, and that Rule 261 is not a CTC Rule.

Since 1890 the Carrier's tracks between Bee Creek Junction and St. Joseph have been used jointly by it and the Chicago Great Western Railway Company. Prior to March 1, 1951, three home signals on Carrier's tracks near the intersection of the two railroads at Bee Creek Junction were controlled by a control machine at the depot there; it was then superseded by a control

machine in the St. Joseph Terminal Yard Office, which ever since then has controlled the three home signals and one switch at Bee Creek Junction and a signal between Mile Posts 70 and 71. This remote control from St. Joseph was made pursuant to Interstate Commerce Commission order made September 15, 1950, on joint application by the two railroads.

The new Agreement, which became effective as of October 1, 1953, included a new Section 6-(b) of Article I, establishing the classification of CTC Signal Maintainer and a provision in Section 1 of Article V establishing a pay rate differential of seven cents per hour for the new classification over that for Signal Maintainer.

Page 6 of Missouri Division Time Table No. 87, which became effective on July 12, 1953, and was still in effect on October 1, 1953, provided as follows:

"SIGNAL SYSTEM TWO IN EFFECT:

"Lathrop Interlocking and B. C. Jct. to MP 71.9.

"RULE 261 IN EFFECT:

"Between B. C. Jct. and MP 70.8.

"Trains must secure numbered clearance cards before leaving originating stations, except westward C. G. W. train at B. C. Jct. and eastward trains at St. Joseph U. S.; eastward trains secure at Terminal Yard.

"At B. C. Jct., authorized speed within home signal limits 15 M P H.

"Signals at B. C. Jct. and MP 70.8 are controlled from Terminal Yard. If these signals are at 'Stop', train will not proceed until aspect changes or permission is obtained by telephone from Terminal Yard Operator except, at B. C. Jct. eastward trains, if unable to establish communication, may proceed on authority held for movement beyond B. C. Jct., after placing dual control switch on hand operation. Switch must be restored to motor position after movement is completed."

These time table orders were not then changed; the record shows that they were still in effect at least as recently as April 24, 1955; and the record shows no change of installation, circuits or operating practice on this section since July 12, 1953.

Article I, Section 6-(b), which established the new classification of CTC Signal Maintainer, effective as of October 1, 1953, provides as follows:

"CTC SIGNAL MAINTAINER: A signal maintainer assigned to a section, all or a part of which is included in a continuous CTC installation. Individual segregated remote control installations not included in a continuous CTC installation do not change the classification of a signal maintainer."

It should be noted that under Article I, Section 6-(b) the continued existence of segregated remote control installations is recognized and that

Claimant is not entitled to the new classification unless all or part of this section "is **included in a continuous** CTC installation."

The terms used in the new Section 6-(b) are not defined and have not been adjudicated. But the expression "included in a continuous CTC installation" must definitely mean "included in **one** continuous CTC installation"; in other words, to entitle Claimant to the new classification, all or part of his section must be integrally included in the CTC installation. Any one CTC installation must necessarily be continuous, and if it includes all or part of Claimant's section, the latter must be considered as "included in a continuous CTC installation."

The issues raised by the parties' statements of position are whether the machines and system used and the rules applicable to Claimant's section make it a CTC installation rather than a remote control installation. Apparently the machines do not constitute the distinction since under either system they merely conrol trains from a more or less distant point. But there are distinct differences between the various system of traffic control installed by the Carrier, necessitating different operating rules. We must first consider the definitions of CTC and remote control to establish the essential differences.

For the definition and description of CTC the parties cite three sources: (1) the definition adopted by the Carrier in its Operating Rules; (2) the definition and description in the book "American Railway Signaling Principles and Practices", Chapter IV, "Centralized Traffic Control", published by the Signal Section of the Association of American Railroads, and (3) a booklet of questions and answers on Centralized Traffic Control, published by the Simmons-Boardman Publishing Corporation, and written by Edmund J. Phillips, Jr., an affiliated member of the Signal Section of the Association of American Railroads.

(1) The Carrier's definition in its Operating Rules is as follows:

> "CENTRALIZED TRAFFIC CONTROL SYSTEM (CTC).—A system of railroad operation by means of which the movement of trains and engines over routes and through blocks on a designated section of track or tracks, is directed by signals controlled from a designated point without requiring the use of train orders and without superiority of trains."

(2) The definition and description quoted from the publication of the Signal Section, A. A. R., is as follows:

> "A term applied to a system of railroad operation by means of which the movement of trains over routes and through blocks on a designated section of track or tracks is directed by signals controlled from a designated point without requiring the use of train orders and without the superiority of trains.
>
> "Centralized traffic control is the term used to designate the complete modern system that has been developed to provide an economical means for directing the movement of trains by signal indications without the use of train orders.
>
> "General.

"Briefly, centralized traffic control consists of a combination of automatic block systems and interlockings. Such a system may be adapted to any existing signal installation and may be applied to single or two or more tracks.

"The system consists of the following basic groups of apparatus:

"1. A control machine with: (a) levers for the operation of the switches and signals; (b) indications showing the position of switches and signals and the occupied or unoccupied condition of sections of track; and (c) a traingraph which records the movement of trains and takes the place of the customary train sheet, so far as recording the movement of trains is concerned. The traingraph is optional.

"2. Equipment at the field location consists of power-operated switches, signals, relays and other apparatus. Track circuits approaching and within the limits of the controlled signals and other designated points are used to actuate indications, which show the passage of trains, appearing on the control panel.

"3. Wires extending from the control machines to all field locations, over which the circuits actuating the switches and signals are carried and over which the indications of conditions at the field locations are returned to the operating panel of the control machine.

"The control machine may be housed in the Train Dispatcher's or some other office. On the machine is a miniature diagram showing the location of controlled switches and signals and the track layout. Lights indicate the occupancy or non-occupancy of the track at each field location and at other points to show the position of trains between stations.

"Indications of the position of switches and signals may be shown by similar lights in or near the levers to inform the control operator that the switches and signals have responded to the movement of the levers on the control panel. A traingraph is sometimes used to provide a permanent record of the passage of trains at each of the field locations. It consists of a clock-actuated device which moves the graph sheet under pens or styli to form the record of occupancy of the track at various points in the field and is usually located in the desk portion of the control machine to permit notations to be made on the sheet to identify the train or to record information concerning its movement.

"The wayside signals at the field location may be of the semaphore, color light, position light, or color position light type. The switches may be operated in any of several ways; for example:

"1. Electric or electro-pneumatic power (with or without a dual-control feature to permit hand operation).

"2. Manual—switch stand or mechanical interlocking (with or without electrical lock).

"3. Spring (with or without electrical or mechanical lock).

"Telephones are generally provided at field locations and at other points to permit communication with the control office."

(3) The questions and answers quoted from the Phillips booklet published by Simmons-Boardman Publishing Corporation are as follows:

"What is the generally accepted definition of 'centralized traffic control'?

"According to the Signal Section, A. A. R., the term 'centralized traffic control' is 'A term applied to a system of railroad operation by means of which the movement of trains over routes and through blocks on a designated section of track or tracks is directed by signals controlled from a designated point without requiring the use of train orders and without superiority of trains.'

"It is to be noted that by this definition 'centralized traffic control' is a 'system of railroad operation.' "

* * * * *

"Is it desirable to review the various elements utilized in controlling trains to appreciate fully the scope and meaning of centralized traffic control?

"A: Yes. Summarizing briefly, we have noted: That regular trains are operated in accordance with a time-table and schedule; that the time-table establishes superiority of trains (known as 'time-table superiority') on the basis of 'class' and 'direction,' in order to set up a basic and uniform order of precedence for trains meeting and passing on the road; that first class trains have precedence over second-class trains, and second class trains have precedence over third-class trains, etc.; that, on a track over which trains are operated in both directions, a train of superior direction has precedence over another train of the same class traveling in the opposite, or inferior, direction; that train orders are issued to eliminate possible confusion when schedules are disrupted, and to authorize the departure and subsequent operation of extra trains, work extras, and additional sections of regularly schedule trains; that superiority conferred by train order is known as 'right,' and that such superiority takes precedence over class or direction; that space intervals between trains, and authorization and control of train movements over routes and through blocks, are established by means of various types of signaling systems, such as manual block, automatic block, controlled manual block, cab signaling, and interlocking signaling; and, finally, that with each system of signaling, certain special rules are required in order that trains may be operated safely and expedited in accordance with the peculiarities of control established by each signal system."

* * * * *

"How do these elements enter in centralized traffic control?

"A: Centralized traffic control is merely the centralization, at one point, of the control of train movements over sections of the road, such train movements being authorized and directed by signal

indication, without requiring the establishment of time-table superiority, and without requiring train orders for normal operation.

"With centralized traffic control the schedule included in the employe's time-table becomes merely a reference guide establishing departure times for trains at their origination point and at intermediate station stops, and arrival times at final destinations. On sections of track under centralized traffic control, train superiority established by time-table (in other words, time-table superiority—which classifies trains and establishes precedence for individual trains out on the road by 'class' and 'direction') is not required. Neither are the rules in the Standard Code establishing specified time clearance between trains during certain operations (Rules 86 and S89 similar rules of the Standard Code adopted November, 1938) required. Finally, the type of train superiority known as 'right', conferred by train order, and train orders themselves are not required for normal operation, the train order system being utilized only in case of failure of the master control system—the signal system.

"All train movements are controlled and directed at crossover points, turnouts, crossings, and at all points where diverting switches are involved, by signal indication under the control of a centrally located operator. All rules necessary for the protection of trains operating under the particular type or types of signal systems in service must be retained."

* * * * *

"What are the basic Standard Code rules governing train operation under centralized traffic control?

"A: In the Standard Code, revised November, 1938, we find Rule 251, reading, 'On portions of the railroad, and on designated tracks so specified on the time-table, trains will run with reference to other trains in the same direction by block signals whose indications will supersede the superiority of trains.' It will be noted that this rule is restricted to 'trains—in the same direction.'

"Rule 261, governing following and opposing movements of trains, reads as follows: 'On portions of the railroad, and on designated tracks so specified on the time-table, trains will be governed by block signals whose indications will supersede the superiority of trains for both opposing and following movements on the same track.' "

* * * * *

"What is required of the signal systems utilized under centralized traffic control operation?

"A: Since all train movements are governed by signal indications, and trains are shuffled around at the will of a centrally located operator by means of those signal indications, the protection established in the signal circuit design must be complete. Also, rules limiting and governing train movements in accordance with the peculiarities of the particular signal system or systems utilized must be carefully worded and devised to cover all possible circumstances,

and must be expressed so that they are simple and easily understood."

* * * * *

"Is centralized traffic control applicable only to long extended sections of track?

"A: No. While the term 'centralized traffic control' is commonly associated, on first thought, with layouts involving many individual interlockings and many miles of automatic block, it is to be noted that it is essentially a method of train operation, and, therefore, may be utilized at one interlocking plant or on a short section of through track, provided only that train operation in the territory in question is in accordance with the definition of centralized traffic control. However, the trend has been to utilize this system over longer and longer territories, as it is here that the greatest advantages are obtained."

For the definition and description of remote control the parties cite (1) the definition in the above mentioned book published by the Signal Section of the A. A. R., and (2) questions and answers in the Simmonds-Boardman publication by Edmund J. Phillips, Jr., mentioned above.

(1) The A. A. R. definition is as follows:

"Control, Remote.

"A term applied to a method of operating outlying signal appliances from a designated point."

(2) The Phillips questions and answers are as follows:

"What is 'remote control'?

"A: When an interlocking is controlled by a manually-operated machine located at a point somewhat removed from the controlled layout, and train operation at the controlled plant is governed by time-table, signal indication and train orders. The controlled layout is said to be a 'remote control' plant."

* * * * *

"Where is 'remote control' utilized?

"A: Remote control installations have been utilized for many years, particular where comparatively simple layouts, such as junctions, ends-of-passing-track, ends-of-double-track, crossings, and yard exit or entrance connections were involved, and traffic conditions were such that control towers and operators at the points in question were not economically justified. In recent years, layouts formerly controlled from towers in the immediate vicinity have been redesigned and set up for control from some distant point. Also, in order to reduce train stops, many switches at comparatively simple layouts, which previously were operated manually have been

equipped with power switch machines and designed for remote control from the nearest interlocking tower."

* * * * *

"What are the distinguishing characteristics of 'remote control'?

"A: Remote control is to be distinguished from 'consolidation' of interlockings. In consolidation, two or more adjacent interlocking plants are often re-designed to form one new large interlocking controlled from one tower. In remote control, the interlocking limits of the plant at the control point are distinct from the interlocking limits of the remotely controlled plant, and trains on the intervening track sections may be operated under a train-order system, a manual-block system, a controlled-manual-block system, or an automatic block signal system and rules.

"Remote control installations are distinguished from centralized traffic control installations (to be discussed more fully later) by the factors governing train operation. In centralized traffic control installations, train operation is governed only by signal indications. At remote control installations, train operation is governed by signal indications, time-table and train orders. From the viewpoint of method of train operation, therefore, remote control plants are nothing more nor less than power interlockings controlled by manually-operated machine which is not located at the controlled layout but at some relatively distant point."

The final paragraph above quoted, which is cited by the Brotherhood, shows that CTC is not merely a greatly expanded remote control installation. The difference as there summarized is this:

"In centralized traffic control installations, train operation is governed only by signal indications. At remote control installations, train is governed by signal indications, time-table and train orders."

That statement sustains the Carrier's summary of the operating differences and the necessity of a positive designation of the CTC territory, which is as follows:

"The fundamental difference between CTC operation and other types of signal installations, such as interlockers, automatic block signal territory, traffic reversal territory or automatic train control territory, is that it is absolutely essential that train or engine crews and others engaged in train operation must at all times know exactly whether a train is operating in CTC territory where the signal indication is, within itself, the sole authority required for the train to move, or whether it is operating in other than CTC territory where a train must have authority from a source outside of the signal indication, such as time table, train order or yard limit rules, before it can move, even though the signal indication may be clear. To meet this need, the Carrier has clearly designated in its time tables, issued for the exclusive use and guidance of its employes, the limits of each CTC installation. In this connection the Board's attention is respectfully directed to Page 6, Paragraph 3, of the Carrier's ex parte submission."

The matter referred to in the final sentence is as follows:

> "Rules 650 to 661 inclusive appearing in Operating Department Rule Book, Revised 1953, are the rules which govern train movements over Centralized Traffic Control territory. Inasmuch as the territory from Bee Creek Junction to St. Joseph, Missouri is not and has never been designated in Missouri Division Time Tables as CTC territory, the aforementioned rules are neither in effect nor are they observed on this section of track."

These considerations point out the significance of the definition of CTC stated and relied upon by both parties in the foregoing quotations from the Signal Section of the A. A. R. and adopted by the Carrier in its Operating Department Rules as follows:

> "A system of railroad operation by means of which the movement of trains and engines over routes and through blocks on a **designated** section of track or tracks, is directed by signals controlled from a **designated** point without requiring the use of train orders and without superiority of trains." (Emphasis added.)

The systems of railroad operation, including the control installation, are necessarily provided by the Carrier. Therefore, it is absolutely essential that the trackage controlled by the various methods be definitely designated by the Carrier for the employes' guidance in view of the operating differences.

As noted above, the Brotherhood contends that irrespective of formal designation this constitute CTC territory because the time-table provides that Rule 261 is in effect over part of the territory, and because the Carrier's Centralized Traffic Control Rules provide (Rule 650) that "within CTC limits trains will run as prescribed by Rule 261."

It is illogical to argue that reference to Rule 261 in Rule 650 makes CTC territory of all trackage to which Rule 261 applies. Rule 261 is one of the Carrier's "Rules Governing Opposing and Following Movements of Trains by Block Signals", and applies to any block signal territory or trackage specified in the time table, even if not CTC territory. On the other hand, Rule 650 is only one of the Carrier's fourteen Centralized Traffic Control Rules (Nos. 650 to 661 inclusive), and the record does not show that the essentials of the other CTC rules have been made applicable to this territory.

It should be noted that Rule 261 eliminates only train superiority, and not the "time-table and train orders," the presence of which, according to the authority cited by Claimants, distinguishes remote control from CTC.

Here we cannot conclude that the Carrier has actually adopted the elements of CTC but has refrained from adopting the CTC designation in order to avoid the application of Article I, Section 6-(b).

**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.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 18th day of November, 1959.