

Award No. 9061
Docket No. SG-8420

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 on the Atchison, Topeka and Santa Fe Railway Company that:

Signal Department installation between Turner and Olathe, Kansas, on the Eastern and Kansas City Divisions is a bona fide continuous CTC system, and the Signal Maintainers with headquarters at Turner, Holliday, and Olathe should be classified as CTC Signal Maintainers and paid the rate of pay of that classification beginning with October 1, 1953, in accordance with the provisions of Section 6-(b) of Article I and Section 1 of Article V of the current Signalmen's Agreement.

EMPLOYEES' 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.

(Exhibits not reproduced.)

OPINION OF BOARD: The claim is that the signal installation between Turner and Olathe, Kansas is a bona fide continuous CTC system, and that the Signal Maintainers stationed at Turner, Holliday and Olathe should be classed as CTC Signal Maintainers as of October 1, 1953, when that classification became effective under Article I, Section 6-(b) of the new Agreement. The claim was presented on November 7, 1953.

The record shows that in 1907 the Carrier installed a manually-operated interlocking plant at Holliday, Kansas, to control signals and switches there; that in 1930, traffic reversal signalling was installed between Holliday and Olathe, about 12.5 miles west, with the control machine at Holliday; and that in 1951, the control machine was replaced with a later model. In 1954 the traffic reversal signalling was extended from Holliday to Turner, about 6.3 miles east, and controlled by the control machine at Holliday.

No part of this section had been formally designated as or combined with CTC territory by the Carrier when this Claim was made, and the section from Olathe to Holliday was traffic reversal territory, as designated by Special Rule No. 7 in Eastern Division Time Table No. 88, effective September 27, 1953, reading as follows:

"7. TRAFFIC REVERSAL.

"Between Olathe and Holliday (control station Holliday) where Rule 261 is in effect, operators will not display proceed signal for movement against the current of traffic without **train order** authorizing.

"Between KCT Tower 3 and Turner, and between Olathe and Holliday, if a train or engine is stopped by a stop signal (Rule 292) it must not proceed without **permission given by operator.**" (Emphasis added.)

After the extension of traffic reversal signalling to Turner in 1954, the application of the first paragraph quoted above was extended to cover the entire section between Olathe and Turner and it was amended to extend its application to any "movement on Main Track No. 4" as well as to "movement against the current of traffic" in the section generally.

At the same time the restrictions applicable to the territory between KCT Tower 3 and Turner, and between Olathe and Holliday, were extended to the entire territory between KCT Tower 3 and Olathe.

Page 3 of Time Table No. 88, issued on September 27, 1953, and effective on both October 1 and November 7, 1953, shows the entire territory from Kansas City through Turner, Holliday and Olathe to Emporia as controlled by Automatic Block System, the Operating Rules for which are inconsistent with those for CTC in providing (Rule 514) for "other authority" than signal indications. It also shows time table instruction as follows:

"Main Track No. 3 between Turner and Holliday is the first track north, and Main Track No. 4 between Turner and Morris is the second track north of westward main track. Trains have no time table superiority on Track No. 3 between Morris and Holliday, Manual Block Rules govern, and will use this track only as authorized by **train order.**" (Emphasis added.)

Thus the applicability of Special Rule No. 7, time table and train orders have not been eliminated with reference to this territory; on the contrary, the application of the Special Rule has been extended in several respects.

Section 6-(b) of Article I of the Agreement is as follows:

"Section 6-(b).—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."

The Agreement applicable here is the same as in Award 9060, and the facts, issues and contentions are essentially the same. Here as in that claim there was no change in installation, practice or designation of traffic control system when Article I, Section 6-(b) of the Agreement of CTC Signal Maintainer became effective and this claim was made. Here also, the CTC essentials and rules were not made applicable, directly or indirectly. On the contrary, the applicable time table rules are contrary to CTC essentials in retaining the applicability of train orders.

It is unnecessary to repeat the arguments and discussion set forth in that Award; but there, as here, the parties accepted the following definition of CTC and analysis of the difference between CTC and remote control:

"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.

"* * *

"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."

For the reasons stated in Award 9060 this claim must be denied.

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 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 has not been 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.