

Award No. 11801
Docket No. SG-11329

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

(Supplemental)

David Dolnick, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

SOUTHERN PACIFIC COMPANY (PACIFIC LINES)

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Southern Pacific Company that:

(a) The Southern Pacific Company violated the current Signalmen's Agreement, dated April 1, 1947 (reprinted August 1, 1950 including revisions), particularly Rules 2, 13, and 70, when it assigned and/or permitted Mr. J. A. Robinson, Signal Foreman, to work alone and perform a Signalman's duties on March 2, 1958, in connection with the moving of CTC machines from Beaumont to Los Angeles, California, on that date.

(b) The Southern Pacific Company now compensate Signalman T. W. Swartz for eleven (11) hours at his overtime rate of pay for March 2, 1958. [Carrier's File: SIG 148-38]

EMPLOYES' STATEMENT OF FACTS: This Carrier's signal system includes a centralized traffic control (CTC) system that extends from Yuma, Arizona, westward to Los Angeles, California, and beyond, and which included train dispatching offices at Beaumont and Los Angeles (Beaumont is located between Yuma and Los Angeles). Prior to March 2, 1958, the Carrier completed plans for consolidating the train dispatching offices at Beaumont and Los Angeles. This consolidation required considerable signal work, including the moving of the CTC machines from Beaumont to Los Angeles.

Signal construction and maintenance forces had installed and maintained the CTC system and had performed the necessary signal work in preparing for the moving of the CTC machines from Beaumont to Los Angeles.

The Carrier decided to move the CTC machines from Beaumont to Los Angeles on March 2, 1958, and issued written instructions to various signal employes between Los Angeles and Yuma. Those instructions have been reproduced and are attached hereto as Brotherhood's Exhibit No. 1.

The center column, headed "SIGNAL MAINTAINER," on the second page of Brotherhood's Exhibit No. 1, includes Signal Maintainers between

CONCLUSION

The claim in this docket is entirely lacking in merit or agreement support and carrier requests that it be denied.

All data herein submitted have been presented to the duly authorized representative of the employees and are made a part of the particular question in dispute.

(Exhibits not reproduced.)

OPINION OF BOARD: The facts and circumstances are identical in every respect with those in Award No. 11799. Only the Claimant and the supervisor involved are different.

We fully discussed all of the issues in Award No. 11799. Our conclusions remain the same.

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 Carrier did not violate the Agreement.

AWARD

Claim is denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 25th day of October 1963.