

**Award No. 12950**

**Docket No. SG-12353**

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**THIRD DIVISION  
(Supplemental)**

**Benjamin H. Wolf, Referee**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILROAD SIGNALMEN**

**ILLINOIS CENTRAL RAILROAD COMPANY**

**STATEMENT OF CLAIM:** Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Illinois Central Railroad Company that:

(a) The Carrier violated the current Signalmen's Agreement when it assigned certain Signal Maintainers, who are regularly assigned to specific signal maintenance territories, to perform construction work in connection with the relocating of a flasher signal at Pana, Illinois, on August 17, 1959.

(b) The following furloughed Signal Department employees be paid for eight (8) hours each at their respective pro rata rates of pay account of the violation cited in part (a):

Mr. J. L. Smith,	Signalman
Mr. S. C. Arnold,	Signalman
Mr. R. H. Howlett,	Assistant Signalman
Mr. R. W. Hunsley,	Signal Helper
Mr. C. F. Uchtman,	Signal Helper

[Carrier's File: 135-213-100, Case No. 106 Sig.]

**EMPLOYEES' STATEMENT OF FACTS:** On August 17, 1959, this Carrier assigned four (4) Signal Maintainers to perform all necessary construction work in connection with the relocation of a highway flasher signal at Pana, Illinois. Each of the Signal Maintainers assigned to perform the above work were regular assignees to individual signal maintenance positions that they had acquired on bulletin through exercising their respective seniority.

Signal Maintainers E. O. Clark and C. W. Gardner were regular assignees to signal maintenance positions with headquarters at Clinton, Illinois. Signal Maintainers F. L. Conant and I. E. Williams were regular assignees to signal maintenance positions with headquarters at Decatur, Illinois.

The Signal Maintainers who performed the work were in the same craft, seniority class, seniority district, and receive the same rate of pay as Signalmen, and the work, therefore, was properly assignable to them.

The claim is without merit and should be denied.

**OPINION OF THE BOARD:** The facts here are essentially the same as those in Award 12949, except that no drag line operator or other non-bargaining unit employees are here involved.

Under the ruling of Award 12949 this claim must be denied.

**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 denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of THIRD DIVISION

ATTEST: S. H. Schulty  
Executive Secretary

Dated at Chicago, Illinois, this 9th day of October, 1964.