



Award No. 18560

Docket No. SG-18777

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Gene T. Ritter, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

SEABOARD COAST LINE RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Seaboard Coast Line Railroad Company.

(a) That the Seaboard Coast Line Railroad violated its current Agreement with its Signal Department Employees by its use of outside contractors, namely: Harrison & Wright, Stackous Inc. and Hunter & Walden. The contractors were used to repair or replace Signal Power Lines, Code Lines and other Signal Line Circuits between Mile Post 252.6 and 253.4 at Hamlet, North Carolina, on February 22 and 23, 1969.

(b) That the Railroad therefore allow the following men compensation at time and one-half (1½). This is what they would actually have earned had they been allowed to do this work. Mr. J. H. Huling, Sr., Signal Foreman; Mr. H. Adams, Lead Signalman; Mr. C. G. Hall, Mr. L. A. Hickox, Mr. W. H. Kelly, and Mr. E. E. Higginbotham, Signalmen.

(c) On February 22, 1969, the contractors worked from 6 A. M. to 10 P. M. 16 hours. On February 23, 1969, the contractors worked from 6 A. M. to 8 P. M. 14 hours.

(Carrier's File: 15-63)

EMPLOYEES' STATEMENT OF FACTS: Beginning February 18, and ending February 24, 1969, inclusive, extensive repair was made to the signal pole line and signal facilities in the Hamlet, North Carolina area, because of damage resulting from a snow and ice storm.

In making the needed repairs, Carrier used thirteen (13) employees of the Harrison Wright Construction Company, eleven (11) employees of the Stackhouse Construction Company, eleven (11) employees of the Hunter and Walder Construction Company and two (2) Diesel Shop Electricians.

Employees of the Signal Department, Claimants in this dispute were used with the above forces on February 18, 19, 20, 21, and 24. At the close of work on the 21st however, Claimants were instructed not to report for duty on the 22nd or 23rd, but to report for work again on the morning of the 24th.

To complete the record covering the handling of the claim on the property, attached as Carrier's Exhibit "A" is copy of claim filed by Local Chairman Hall, together with copy of Mr. DePriest's declination and copy of Mr. DePriest's letter of May 28, 1969 to General Chairman Harper, with copy to General Chairman Anderson.

(Exhibits not reproduced.)

OPINION OF BOARD: This dispute arises out of the same work as involved in Award No. 18559, and is disposed of by the Opinion of the Board in said Award No. 18559.

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 Agreement was violated.

AWARD

Claim sustained in accordance with Opinion in Award No. 18559.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: E. A. Killeen
Executive Secretary

Dated at Chicago, Illinois, this 13th day of May 1971.