

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19307
Docket Number SG-18736

Arthur W. Devine, Referee

(Brotherhood of Railroad Signalmen

PARTIES TO DISPUTE: (

(The Ann Arbor Railroad Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Ann Arbor Railroad Company that:

(a) Carrier violated the current Signalmen's Agreement as amended particularly the Scope, when, on October 23, 1968, it required and/or permitted persons not covered by the Signalmen's Agreement to perform work in connection with the installation of annunciators at Pontiac Trails and Coon Lake Road.

(b) Carrier should now be required to compensate Signal Maintainer G. D. Harris for eight hours at the straight-time rate of pay because of this violation.

OPINION OF BOARD: The dispute herein involves the installation of annunciators at the locations named, which, the Petitioner states, were installed to notify the dispatcher of the presence of trains at those locations. The Petitioner states, without refutation by the Carrier, that the annunciator apparatus and circuitry were installed in the highway crossing relay signal cases; that the installation includes a repeater relay which is operated by energy obtained from the crossing installation, and which is controlled by a circuit attached to the flasher control relay, and that it also includes equipment which operates through circuits which break through contacts in the repeater relay, all of which, i.e., the source of energy, relays and circuitry is installed and maintained by Signal Department employees.

The Carrier maintains that the annunciator is a communication device, the installation of which properly belongs to employees of the communication's craft to install and connect to the service that activates it.

The record shows that notice of pendency of the dispute was given to the International Brotherhood of Electrical Workers. That organization responded, quoting the classification of work rules covering electricians, linemen and ground men, and asserted that the work was properly assigned to electrical workers. The International Brotherhood of Electrical Workers, however, has cited no specific language of the rules to support its assertion that the work should properly have been assigned to electrical workers, nor has it submitted any evidence in support of that assertion.

From our study of the record, we are convinced that the Signalmen's Organization is correct in its position that the installation of the annunciator apparatus should have been performed by signal employees and that the dividing line between Signalmen's work and Communication Employee's work should be where the annunciator circuit is attached to the communication circuit on the pole line.

The claim will be sustained.

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.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: E. H. Killen
Executive Secretary

Dated at Chicago, Illinois, this 30th day of June 1972.