

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19387  
Docket Number SG-16623

Joseph E. Cole, 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 (Pacific Lines) that:

(a) The Southern Pacific Company violated the current Signalmen's Agreement, effective April 1, 1947 (reprinted April 1, 1958, including revisions) when it failed and/or declined to apply the Scope Rule which resulted in the violation of Rule 70, when it assigned the signal work of replacing a solenoid valve in the cooling water system of the air compressor at the retarder yard at Eugene Yard on June 18, 1965, to employees not covered by the Signalmen's Agreement.

(b) Mr. R. D. Hanson be allowed four (4) hours at the overtime rate of Signal Maintainer, Retarder Yard Systems, for June 18, 1965.

/Carrier's File: SIG 152-185/

OPINION OF BOARD: This claim involves electrical work on the air compressor of Carrier's retarder yard at Eugene, Oregon. We have recently adjudicated two cases involving electrical work on this facility, and have held that on the record presented in each case the work belonged to Signalmen - Awards 19118 (Mesigh) and 19248 (Cull). There is nothing in the record before us that would justify a different decision in this case, and we will sustain paragraph (a) of the claim.

Petitioner contends that if Claimant had been required to perform the involved work, "he would have been required to work overtime." The record shows, without contradiction, that the Electrician spent only ten minutes doing the work; therefore, Claimant will be allowed ten minutes overtime.

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:

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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

Paragraph (a) of the Statement of Claim is sustained.

Paragraph (b) of the Statement of Claim is sustained to the extent indicated in the Opinion.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

E. A. Killen  
Executive Secretary

Dated at Chicago, Illinois, this 15th day of September 1972.