

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19413
Docket Number SG-16437

Joseph E. Cole, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(Southern Pacific Company (Pacific Lines)

STATEMENT OF CLAIM: Claims 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, in assigning recognized signal work to employees not covered by the Signalmen's Agreement at the signal system on the engine washing facility at Eugene Yard, Oregon, on or about March 10, 1965.

(b) Messrs. W. Barber and A. J. Trojan be allowed eight (8) hours at their respective time and one-half overtime rates of pay for a date which the Carrier's records will reflect, on or about March 10, 1965.

(c) Messrs. Barber and Trojan be allowed one (1) hour each at their respective time and one-half overtime rates of pay for each week that the Carrier continues to violate the agreement by assigning other than signal forces to the maintenance of this signal system.

(Carrier's File: SIG 152-179)

OPINION OF BOARD: The washing machinery and apparatus is not part of the signal system, and from the record, does not belong to the signalmen under the scope rule.

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:

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

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That the Agreement was not violated.

A W A R D

Claim denied.

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By Order of Third Division

ATTEST:

E. A. Killen
Executive Secretary

Dated at Chicago, Illinois, this 29th day of September 1972.