

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19512
Docket Number SG-17156

Robert M. O'Brien, Referee

(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(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 violation of Rule 70, by assigning the recognized signal work of installing switch heaters to switches at each end of the Siskiyou, Oregon, siding to employees not covered by the Signalmen's Agreement.

(b) Signal Foreman R. A. Fraga; Signalmen L. P. Brockman, D. W. McIntyre, and C.W. Hampton; and Assistant Signalman D. R. Thomas - Shasta Division Signal Gang No. 25 - be allowed eight (8) hours each for each of the following dates: January 31, February 1, 2, 3, 4, 7, 8, 9, 10, 21, 23, 24, and 25, 1966, at their respective rates of pay. (Carrier's File: SIG 152-196)

OPINION OF BOARD: The dispute arose when Carrier assigned other than signal employees to install switch heaters at Siskiyou, Oregon between January 31, 1965 and February 25, 1966.

The parties, the issues and the applicable Rules are identical to those present in Award 19506, and for the reasons stated therein the claim will be denied.

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

That the Agreement was not violated.

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Claim denied.

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By Order of Third Division

ATTEST: E. G. Killen
Executive Secretary

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