

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20050
Docket Number SG-19739

Dana Eischen, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(Louisville and Nashville Railroad Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Louisville and Nashville Railroad Company:

On behalf of the two senior employees in the Signal Repair Shop for 80 hours each at their overtime rates account Signal Testers performing shop work in the field.

/Carrier's File: G-304-20; G-3047

OPINION OF BOARD: Between August 11 and August 19, 1970, two Signal Testers (employees within the coverage of the Agreement between the parties) performed the work of adding copper slugs to certain electromagnetic relays in the Carrier's signal system.

Petitioner contends that the work performed by the Testers was so performed in violation of Rule 2 and Appendix "L" of the parties' Agreement and, moreover, was violative of the general practice on the property. The Carrier counters that the work in dispute is not exclusively reserved to employees of the Signal Repair Shop at Louisville, Kentucky.

After careful consideration of the record, we find that neither the Agreement provisions relied upon nor evidence of practice on the property indicates that the parties have reserved the work in dispute to the employees at the Louisville Repair Shop to the exclusion of other Signal Department employees in the Carrier's service. We will dismiss the claim.

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;

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That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the claim should be dismissed.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Paulus
Executive Secretary

Dated at Chicago, Illinois, this 30th day of November 1973.