

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20248
Docket Number SG-19853

Joseph A. Sickles, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(George P. Baker, Richard C. Bond, Jervis Langdon,
(Jr., and Willard Wirtz, Trustees of the Property
(of Penn Central Transportation Company, Debtor

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Penn Central Transportation Company (former New York Central Railroad Company-Lines West of Buffalo):

Claim No. 1.

In favor of leading Signal Maintainer F. J. Quada for six (6) hours' pay at the pro rata rate for January 25, 1971; such claim account Signal Foreman G. E. Schray violated the Scope Rule of the current working agreement when he performed work of assisting Signal Maintainer F. J. Lackowitz in removing from service automatic train stop inductors at Chelsea, Michigan, and adjacent area on the assigned maintenance section of Maintainer Lackowitz.

Claim No. 2.

In favor of Signal Maintainer Test A. J. Smith for six (6) hours' pay at the pro rata rate for January 26, 1971, such claim account Signal Foreman G. E. Schray violated the Scope Rule of the current working agreement when he performed work of assisting Signal Maintainer F. J. Lackowitz in removing from service automatic train stop inductors at Chelsea, Michigan, and adjacent area on the assigned maintenance section of Maintainer Lackowitz.

OPINION OF BOARD: Organization bases its claim on the use of a Signal Maintenance Foreman to assist a Signal Maintainer on two days in January, 1971, concerning removal of Automotive Train Stop Inductors.

We have reviewed the record in its entirety, and note that Carrier relies upon Award 17706 (Yagoda). Based upon the record as a whole, and considering the facts presented here, we are inclined to agree that Award 17706 disposes of the issue.

For the reasons stated in the above cited Award, we will deny the claim.

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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 not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A.W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 17th day of May 1974.