

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20420
Docket Number SG-20451

Irwin M. Lieberman, Referee

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

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Southern Pacific Transportation Company that:

(a) The Southern Pacific Transportation Company violated the Agreement between the Company and the Employees of the Signal Department, represented by the Brotherhood of Railroad Signalmen, effective April 1, 1947 (reprinted April 1, 1958 including revisions), and particularly Rule 13, which resulted in violation of Rule 70.

(b) Claimants designated /G. M. Gunter, G. W. Smith, and M. O. Waits/ be compensated at their respective overtime rates of pay for June 15, 1972 when junior employees Mr. W. A. Anderson, Leading Signaller and Mr. D. E. McClain, Signaller, were used to perform overtime work from 4:00 PM - 9:00 PM with an additional half-hour pay for meal time which amounts to five and one-half (5 1/2) hours at time and one-half rate. /Carrier's File: SIG-148-214/

OPINION OF BOARD: The issue involved in this dispute, concerning the assignment of overtime, is whether the employees in the Sacramento Signal Shop of Carrier constitute a "gang" within the meaning of Rule 13 of the Agreement.

The question herein has been decided in Awards 19920 and 20416 which are controlling. We concur with the opinions expressed therein.

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

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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 27th day of September 1974.