

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20612
Docket Number SG-20488

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 (Pacific Lines) 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.

(b) Mr. George Smith be allowed compensation for three (3) hours at his overtime rate for September 1, 1972, and one hour at his overtime rate for September 7, 1972.

(c) Mr. M. O. Waits be allowed compensation for three (3) hours at his overtime rate for September 1, 1972, and one hour at his overtime rate for September 7, 1972. (Carrier's File: SIG 148-215)

OPINION OF BOARD: The dispute herein involves claims for overtime in Carrier's Sacramento Signal Shop during September 1972. The issue is whether the employees in the Sacramento Signal Shop constitute a "gang" within the meaning of Rule 13 of the Agreement. The identical question involving the same parties at the Sacramento Signal Shop 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

Award Number 20612
Docket Number SG-20488

Page 2

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. Paulson
Executive Secretary

Dated at Chicago, Illinois, this 21st day of February 1975.