

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21635
Docket Number SG-21662

Joseph A. Sickles, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Southern Railway Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood
of Railroad Signalmen on the Southern Railway
Company et al.:

On behalf of J. L. Mitchell, Signal Maintainer, Lines West
Seniority District, for six (6) hours straight time account Electrician
Don Feltman loaded and hauled a signal mechanism from Meridian, Mississippi,
to Tuscaloosa, Alabama, on March 14, 1975, to be installed by signal
employees in that area.

/Carrier's file: SG-108/

OPINION OF BOARD: On the day in question, Carrier utilized the services
of an individual not covered by this Organization's
agreement to transport certain signal mechanism.

We have considered the facts of record and the contentions of
the parties; and we have reviewed Third Division Awards 10613 and
(particularly) 12188, which resolved disputes between these parties.
It is our conclusion that the Awards cited above are precedent to this
case and, accordingly, we will deny 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;

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 29th day of July 1977.