

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21914
Docket Number SG-21710

Irwin M. Lieberman, 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 Signalmen C. C. Dennis and B. R. Harrison, headquarters Signal Gang #13, Boyles Yard, Alabama, for 52 hours each at their respective overtime rates account Mr. G. L. Tanner, Supervisor-Maintenance on the Southern Region, checking the circuit plans and Signal Maintainer G. D. Jacobs performing work involving the wiring and circuit changes at Boyles Yard Office Relay Room during the month of September, 1974, in conjunction with construction projects for 'Five Mile Creek' and 'Bowl' Interlockings. (8 hours each on September 18, 19, 24, 25 and 26, and 4 hours each on September 20, 23 and 27, 1974)

/Carrier's file: G-304-12, G-304/

OPINION OF BOARD: The dispute herein involves the work of making certain circuit changes at Carrier's Boyles Yard Office Relay Room during September 1974. The admitted facts, which are at the heart of the dispute, are that the Supervisor Maintenance, not included as a covered employee in the applicable Agreement, read the blue prints and supervised the wiring of the changes according to those plans. Petitioner argues that this was work which should have been performed by a covered employee and Carrier disagrees.

An examination of the record indicates that there is no evidence of the Supervisor going beyond the normal scope of supervisory functions in his activities. Checking blue prints and the work for accuracy cannot be construed to be "work" within the terms of the Agreement. Carrier submitted evidence of supervisory employees functioning in a similar manner traditionally and historically; Petitioner did not submit any contrary material.

The record is devoid of evidence in support of Petitioner's position and neither is there any apparent rule support. It must be concluded that the Supervisor in this instance was performing a normal

supervisory function to see that the work was properly performed in accordance with traditional practice on the property. Accordingly, the Claim must be denied.

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 Employee involved in this dispute are respectively Carrier and Employee 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. Paulos
Executive Secretary

Dated at Chicago, Illinois, this 28th day of February 1978.