

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22080
Docket Number SG-22036

Don Hamilton, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Southern Pacific Transportation Company
(Texas and Louisiana Lines

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Southern Pacific Transportation Company--Texas and Louisiana Lines (former Texas and New Orleans Railroad Company):

On behalf of Signalman J. J. Tucker for the difference between his rate of pay and that of a Signal Inspector account performing Signal Inspector work beginning January 1, 1976, with the claim for compensation to begin sixty days from the date the initial claim was filed. (Initial claim letter was dated May 28, 1976)

OPINION OF BOARD: In this case, the Organization alleges that the Carrier required a Signalman to perform the duties of a Signal Inspector without compensating him at the rate of pay for a Signal Inspector.

Referee Dorsey, in Award 12668, denied a claim very similar to the fact situation presented in the instant case. We agree with the theories expressed in the Dorsey Award and in the other citations presented by the Carrier.

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.

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Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 31st day of May 1978.

