

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22786
Docket Number SG-22515

James F. Searce, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Soo Line Railroad Company

STATEMENT OF CLAIM: "Claims of the General Committee of the Brotherhood
of Railroad Signalmen on the Soo Line Railroad Company:

Claim No. 1. (Carrier file: 900-8-58)

On behalf of Signal Maintainer L. D. Suhsen, headquarters Buffalo, Minnesota, for two hours and forty minutes at the overtime rate of pay account section forces removing signal bond wires during rail-changing work August 7, 1977, about 10 p.m., at Mile Post 30.5.

Claim No. 2. (Carrier file: 900-8-59)

On behalf of Signal Maintainer T. J. Bengtson, headquarters Minneapolis, Minnesota, for six and one-half hours at the overtime rate of pay account section forces removing signal bond wires during rail-changing work beginning about 10:30 p.m. August 25, 1977, at 26th Avenue North."

OPINION OF BOARD: The Claims herein relate to the cutting or breaking of signal wire bonds on rails, such events occurring while track forces were changing out rails. Although the track forces continued and completed the track change, the record indicates that they did not repair or replace such bonds; this work was reserved for signal forces and performed by them.

The burden is upon the Organization to demonstrate exclusive jurisdiction over the breaking of such bonds. We find no such showing on the record. It seems evident that such work, i.e. the breaking of the bonds, has been performed on this property by other than signal forces. Under such circumstances, we find no basis to affirm for the Claimants.

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

The Agreement was not violated.

A W A R D

Claims are denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A. W. Pankos
Executive Secretary

Dated at Chicago, Illinois, this 14th day of March 1980.

