

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award No. 29821
Docket No. SG-29632
93-3-90-3-622

The Third Division consisted of the regular members and in addition Referee Edward L. Suntrup when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Union Pacific Railroad Company

STATEMENT OF CLAIM: "Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Union Pacific Railroad (UP):

Claim on behalf of M.E. Giger et al, for payment of certain monies, account of Carrier violated the current Signalmen's Agreement, as amended, particularly, the Scope Rule and Rules 2 and 55, when it allowed or permitted Carrier Officers to perform testing and inspection of signal equipment on certain dates between September 8 and 29, 1989." Carrier's File No. 890763. BRS Case No. 8216-UP.

FINDINGS:

The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

On October 11, 1989, a Claim was filed with the Carrier at Omaha, Nebraska, on behalf of ten members of the craft who held the classification of Centralized Dispatching Center Electronic Technicians assigned to Headquarters at the Carrier's Harriman Dispatching Center in Omaha. According to the Claim, various Rules of the Signalman's Agreement with the Carrier were violated, but particularly Rule 1 - Scope, when supervision did work which belonged to members of this craft on various dates in the month of September 1989.

In denying the Claim, the Carrier states that it has always reserved the right to ensure a completely safe and reliable signal system through various tests and inspections by Carrier officers.

A review of the record of this case warrants the conclusion that the Organization has failed to establish that the assignment of the work involved violated the Agreement. Accordingly, the Claim is denied.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: Catherine Loughrin
Catherine Loughrin - Interim Secretary to the Board

Dated at Chicago, Illinois, this 29th day of September 1993.