

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

Award No. 45521  
Docket No. SG-47918  
26-3-NRAB-00003-230426

The Third Division consisted of the regular members and in addition Referee Daniel F. Brent when award was rendered.

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

**STATEMENT OF CLAIM:**

“Claim on behalf of P.J. Earl, H.J. Guidry, III, M.T. Mitchell, P.K. Pike, and J.D. Randolph for 1440 hours each at their respective rates of pay; account Carrier violated the current Signalmen's Agreement, particularly the Scope Rule, when, beginning on August 8, 2022, and continuing, Carrier permitted contractors from Tri Point Construction to replace air compressors at Livonia Yard, thereby causing the Claimants a loss of work opportunity.  
Carrier's File No. 1779197, General Chairman's File No. S141-SR-350, BRS File Case No. 6212, NMB Code No. 312 - Contract Rules: Scope.”

**FINDINGS:**

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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 were given due notice of hearing thereon.

The Scope Rule specifically refers to BRS jurisdiction over compressed air plants and compressed air pipe mains and distributing systems, including Signal Department electric or air lines within such systems and explicitly limiting the BRS bargaining unit's

exclusive jurisdiction with the phrase “up to the necessary service connections”. This language in the Scope Rule exempts installation of air lines that feed the yard before the service connections dedicated to signal equipment.

The Organization has not met its burden to demonstrate that the disputed work falls within the parameters of work reserved to the bargaining unit. As stated in Third Division Award 44920 (Referee Kathryn A. VanDagens:

The Board finds that the Organization has failed to meet its burden of proving a violation of the parties’ agreement. The on-property record shows that the air lines installed by the contractors were the main supply line for all the equipment in the yard, and that installation required specialized equipment that the Carrier does not possess. The disputed work was part of a mixed use project, to be used by multiple departments, not solely by the Signal department. As such, the Signal employees do not have exclusive right to perform the work.

The instant case is analogous in its facts and mandates similar analysis and the same conclusion that the disputed work was not protected under the Scope Rule as within the exclusive jurisdiction of the BRS bargaining unit, particularly because the disputed work occurred well before the connections to signal equipment. Therefore, the Organization’s claim cannot be granted.

**AWARD**

Claim denied.

**ORDER**

This Board, after consideration of the dispute identified above, hereby orders that an Award favorable to the Claimant(s) not be made.

**NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division**

Dated at Chicago, Illinois, this 27th day of January 2026.