

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

Award No. 45656
Docket No. SG-49147
26-3-NRAB-00003-240901

The Third Division consisted of the regular members and in addition Referee Elizabeth C. Wesman when award was rendered.

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

STATEMENT OF CLAIM:

“Claim on behalf of Z. Backlund, T. Conrad, B. DiMinico, T. Feemster, B. Hatfield, J. Hendrix, C. John, and M. Paulsen, for 32 hours at their respective overtime rates of pay; account Carrier violated the current Signalmen’s Agreement, particularly the Scope Rule, when, on February 6, 2024, it was discovered Carrier permitted Contractors from Idaho and Sedalia Transportation Company to pre-wire and pre-build gate mechs for highway crossing warning systems to be installed between M. P. 232 to M.P. 243 on the Herrington Subdivision, thereby causing a loss of work opportunity to the Claimants.”

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.

This dispute arose when Signalmen arrived at their work site and discovered that the Carrier had ordered a gate for that site with pre-built gate mechanisms, lights, and warning signals already installed. The Organization asserts that such work on gates is

reserved exclusively to Signalmen under the Scope Agreement of the Parties' Collective Bargaining Agreement (CBA). In this case the work had been performed by the Carrier's contractor, the Idaho and Sedalia Transportation Company. The Organization then filed a claim on Claimants' behalf. That claim was denied by the Carrier, and the matter was progressed in accordance with the Parties' Agreement, after which it remained unresolved. It is properly before the Board for adjudication.

Except for the Claimants and the location involved, this case is on point with Award 45649, previously decided by this Board. For reasons set out therein at length, we find the instant claim without merit.

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 20th day of March 2026.