

PARTIES) **BROTHERHOOD OF RAILROAD SIGNALMEN**
TO)
DISPUTE) **UNION PACIFIC RAILROAD COMPANY**

ISSUE

Is the Carrier's notice of January 8, 1997, appropriate and in furtherance of the Surface Transportation Board's ("STB") decision rendered in Finance Docket 32760 with respect to Field Engineers, Chief Draftsman, Draftsman, Assistant Engineers, Detector Car and Assistant Detector Car Engineers?

OPINION OF BOARD

STB approval of the Union Pacific ("UP")/Southern Pacific ("SP") merger occurred by order dated August 6, 1996 (Finance Docket 32760), and imposed New York Dock conditions. ARTE (which merged with the Organization), represented Draftsmen, Valuation Clerks, Detector Car Operators, Field Engineers and Chemists on the SP (Western Lines) under a separate agreement. Those positions on the UP are represented by TCU, ARASA or are non-covered.

By letter dated January 8, 1997, the Carrier notified the Organization of the following:

... Pursuant to Section 4 of the New York Dock conditions, notice is hereby given of UP's intent to abolish and transfer the following work and positions:

All work performed by and accruing to "ARTE" represented employees of the Southern Pacific Transportation Company (Western Lines). Such work and positions will be transferred to various locations throughout the UPRR system. Such employees electing to transfer will assume the representational status of UPRR employees performing comparable work.

For the treatment of certain ARTE represented positions from the SP, negotiations between the parties were successful resulting in an implementing agreement of March 7, 1997. However, the parties were unable to agree upon the treatment of Field Engineers, Chief Draftsman, Draftsman, Assistant Engineers, Detector Car and Assistant Detector Car Engineers. The parties agreed to submit the treatment of the outstanding classifications to arbitration, agreeing further that a an

system wide which will eliminate overlapping functions. Again, the result will be more efficient operations.

Third, the Field Engineering personnel are charged with developing survey data, supervision of construction forces and inspection of contracted work. The Carrier's plan is to use these employees system wide which will give increased mobility and flexibility. The Carrier has thus sufficiently shown that the combination of these individuals will result in a more efficient use of their skills.

In sum then, the Carrier has shown that by combining the forces as planned, the result will be the ability to use these individuals on a system wide basis without having the boundary restrictions that might exist by keeping the former SP and IIP employees in these categories separate. The bottom line is therefore more efficient operations. The Carrier has sufficiently shown a transportation benefit. The treatment of these employees as contemplated by the Carrier will thus be in furtherance of the STB's order concerning this merger.

The ARTE represented employees' objections are understandable. Reallocations may well be the end

product of the Carrier's actions. The representational status of the employees will change. However, it has been demonstrated that by not permitting the Carrier's actions, the former SP and UP boundaries will remain and the Carrier has shown under the degree of its burden required in these cases that without the changes it will not be able to operate as efficiently as it could with the system wide flexibility it seeks. A transportation benefit has been shown.

AWARD

The issue is answered in the affirmative.

Edwin H. Benn
Edwin H. Benn
Neutral Member

W. E. Davis
Carrier Member

L. E. Loman, dissenting
Organization Member

Mount Prospect, Illinois

Dated: 8-20-97