

Public Law Board No. 1922

PARTIES  
TO  
DISPUTE:

United Transportation Union (Switchmen)

and

Southern Pacific Transportation Company

STATEMENT  
OF  
CLAIM:

Organization File TU 73-10

Company File YDM 148-16531

Claim is made for a day's pay at the yard rate of payment applicable for the senior switchman standing for service at 4:45 p.m. March 18, 1973, Tucson Yard.

FINDINGS: The present case concerns substantially the same issue, contentions and principles as were discussed in Award No. 60. The yardmaster here performed yard crew work by relaying signals between members of the yard crew as they were moving cars in the yard.

Carrier contends that the yardmaster was requested to relay the signals by a member of the crew. The crew denies that it asked for assistance and Local Chairman Jordan insists that he told Yardmaster McCollom not to use his radio before the move started. Mr. McCollom's statement that "The foreman or a member of the crew" requested that "we use the radio for them to communicate with the engineer" is not sufficiently specific and clear to resolve the question of fact in Carrier's favor.

AWARD: Claim sustained.

Adopted at San Francisco, California,

*July 11*, 1978.

ORDER: Carrier is hereby ordered to make the above Award effective on or before *Aug 11*, 1978.



Harold M. Weston, Chairman



Carrier Member



Employee Member