

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20522
Docket Number SG-20459

William M. Edgett, Referee

(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(Seaboard Coast Line Railroad Company

STATEMENT OF CLAIM: Claim of the General **Committee** of the Brotherhood of Railroad **Signalmen** on the Seaboard Coast Line Railroad Company that:

(a) Carrier violated **and** continues **to** violate the Signalmen's Agreement, particularly the Scope, when it permitted outside **contracting** firm - **Ogilvie** Electronics, Inc. - to wire and fabricate Defect Detectors.

(b) **Carrier** pay **to Signal** Foreman John Adams; Signalmen R. R. West, F.H. Clay, S. **C.** Austin, D. **E.** Winfried, and **J.A. Scar-**brought; Assistant **Signalmen** W. M. Bennett, K. B. Thomas, J. W. **Keisler**; and **Signal** Helper J. B. **Bagley** **at their** respective overtime rates **a total** of three hundred and fifty hours on a prorated basis for each Defect Detector wired by **Ogilvie Electronics, Inc.** of Jacksonville, Fla., as of May 10, 1972.

(c) Carrier make known to the Organization the total number of Defect Detectors wired and fabricated by **Ogilvie** Electronics, Inc. as of **May** 10, 1972.

[Carrier's File: 15-1 (72-2)]

OPINION OF BOARD: The present claim demands that ten **named** Claimants be allowed pay at their respective **overtime** rates for a **total** of three hundred and **fifty** hours on a pro rated basis **"***** for each Defect Detector wired by **Ogilvie** Electronics, Inc. of Jacksonville, Fla., **as of** May 10, 1972." The **Organization's** General **Chairman** explained that he intended the claim to **cover** instances subsequent to **May** 10, 1972.

We have carefully searched the present record for evidence of such **workhaving** been **performed** in the **manner** alleged subsequent to **May** 10, 1972, and have found none.

In these circumstances the **claim** is hypothetical and we do not resolve such questions. (Awards **14409** and **16441**) The claim must be dismissed.

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

That the parties **waived** oral hearing;

That the Carrier and the **Employees** involved in this dispute are respectively Carrier and **Employees** within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the **Adjustment** Board has jurisdiction over **the** dispute involved herein; and

That the claim should be dismissed.

A W A R D

Claim dismissed.

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

ATTEST: A. W. Paulos
Executive Secretary

Dated at Chicago, Illinois, this 22nd day of November 1974.