

RATIONAL RAILROAD **ADJUSTMENT** BOARD

THIRD DIVISION

Award Number 21232
Docket Number SG-21019

Joseph A. Sickles, Referee

(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(The Baltimore and Ohio Railroad **Company**

STATRMNT OF CLAIM: Claim of the General **Committee** of the Brotherhood of **Rail-**
road Signalmen on the Baltimore and Ohio Railroad Company:

(a) Carrier violated the current Signalmen's Agreement, as amended, particularly the Scope, **seniority**, promotions, hours of service, bulletining and **assignment** rules, historical and traditional practice, **when** it arranged or **otherwise** permitted the General Railway Signal Company to assemble two **Type** El-60 Retarders.

(b) Carrier should **now** be required to compensate all employee listed below at their pm-rata rate: -

<u>Name</u>	<u>Classification</u>	<u>ID No.</u>	<u>Rate per hour</u>	<u>Claim (days)</u>
R. D. Shininger	Sig. Foreman	1404521	5.91	25
S. R. Culler	Sig. Mtr.	1404523	5.52	25
C. A. Reel , Jr.	Sig. Mtr. (Ind)	1404554	5.57	15
J. J. Miller	Sig. Mtr.	1413082	5.52	25
R. E. Thomas	Sig. Mtr.	1414916	5.52	20
T. A. Butler	Sig. Mtr.	1206936	5.52	15

(Carrier File: **2-SG-352**) •

OPINION OF BOARD: The **Employees** asserted a Scope Rule violation when Carrier obtained a pre-assembled retarder.

This dispute does not deal with **work performed** on the property. Rather, it deals with an item made at a factory. Such off-property work **is** not contemplated by the Agreement. See, for example, Award 20926.

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

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

That the Agreement was not violated.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: *A. W. Pauls*
Executive Secretary

Dated at Chicago, Illinois, this 14th day of September 1976.