

Form 1

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

Award No. 29707  
Docket No. SG-29882  
93-3-91-3-275

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

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen  
(  
(CSX Transportation, Inc. (former Louisville  
(and Nashville Railroad)

STATEMENT OF CLAIM:

"Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the CSXT, Inc. (L&N):

Claim on behalf of R. J. Tolbert et al, for payment of certain monies and overtime, account of Carrier violated the current Signalmen's Agreement, as amended, particularly, the Scope Rule, when it allowed or permitted signalmen not having seniority on the former Chicago, Illinois and Eastern Railroad Company, (sic) to perform signal work on February 17, 18, 19 and 20, 1990." Carrier file 15(90-40). BRS Case No. 8259-CSXT. L&N.

FINDINGS:

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe 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 waived right of appearance at hearing thereon.

In Third Division Award 29703, the Board sustained the Organization's Claim on behalf of Signalmen resulting from Carrier's use of employees other than Signalmen assigned under the Agreement for repair work following an ice storm occurring on February 15, 1990. The Claim in this Docket is identical in all respects to the Claim covered in Award 29703, except that it pertains to Communication Employees rather than Signalmen. This Claim too has merit.

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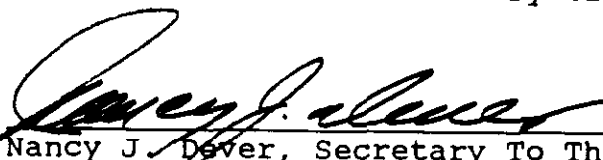
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A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

Attest:

  
Nancy J. Dever, Secretary To The Board

Dated at Chicago, Illinois, this 16th day of July 1993.