

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 31641  
Docket No. SG-31481  
96-3-92-3-968**

**The Third Division consisted of the regular members and in addition Referee James E. Mason when award was rendered.**

**(Brotherhood of Railroad Signalmen  
PARTIES TO DISPUTE: (  
(Terminal Railroad Association of St. Louis**

**STATEMENT OF CLAIM:**

**"Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen (BRS) on the Terminal Railroad Association of St. Louis (TRRA):**

**Claim on behalf of D.H. Wilkins, C.E. Rogers, D.J. Freppon, C.D. Shaffer, J.W. Blair, D.C. Picou, C.E. Satterfield, and E.K. Hubbard for payment of eight (8) hours each at their respective overtime rates, account Carrier violated the current Signalmen's Agreement, particularly the Scope Rule, when it utilized employees of an outside contractor to perform the covered work of installing signal cable conduit from August 12, 1991 to August 23, 1991, and deprived the Claimants of the opportunity to perform this work. Carrier's File No. 013-311-15. General Chairman's File No. 910924.03. BRS File Case No. 8916-TRRA."**

**FINDINGS:**

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

**The carrier or carriers and the employee or employees involved in this dispute are respectively carrier or employee 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.**

As Third Party in Interest, the Brotherhood of Maintenance of Way Employees was advised of the pendency of this dispute and filed a Submission with the Board.

For all intents and purposes, this case is a near copy of two similar disputes between these same two parties which were separately reviewed by the Board and decided by Third Division Awards 29679 and 31347. We have examined both Awards and find that they are dispositive of the issue as set forth in the Statement Claim of this case. The decisions expressed in Awards 29679 and 31347 are adopted, by reference, in our denial of the instant claim.

**AWARD**

Claim denied.

**ORDER**

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

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

**Dated at Chicago, Illinois, this 29th day of August 1996.**