

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 32129
Docket No. SG-32632
97-3-95-3-562**

The Third Division consisted of the regular members and in addition Referee Edwin H. Benn when award was rendered.

**(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(Consolidated Rail Corporation**

STATEMENT OF CLAIM:

“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Consolidated Rail Corporation (Conrail):

Claim on behalf of M. P. Galbo for payment of four hours at the straight time rate, account Carrier violated the Current Signalmen's Agreement, particularly the Scope Rule, when it used a non-covered management employee to perform covered work at Frontier Yard on November 15, 1993, and deprived the Claimant of the opportunity to perform the work. Carrier's File No. SG-806. General Chairman's File No. RM2654-225-1094. BRS File Case No. 9718-CR.”

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 and 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 were given due notice of hearing thereon.

The claim progressed on the property involved allegations of the Carrier's violation of Paragraphs 6 and 8 of Appendix "P." The claim appealed to this Board alleges that the Carrier violated the Scope Rule. The record provided to us is confusing. It appears that several claims have been mixed up. We are therefore unable to dispose of this matter. We shall therefore dismiss the claim.

AWARD

Claim dismissed.

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 13th day of August 1997.