

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 32133
Docket No. SG-32747
97-3-96-3-67**

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: (
(Terminal Railroad Association of St. Louis**

STATEMENT OF CLAIM:

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

Claim on behalf of C. E. Satterfield for payment of two hours and 40 minutes at the time and one-half rate, account Carrier violated the current Signalmen’s Agreement, particularly the Scope Rule, when it used a management employee to make repairs to the signal system at the Madison Retarder Yard on October 22, 1994, and deprived the Claimant of the opportunity to perform this work. General Chairman’s File No. 95-45-A-S. BRS File Case No. 9761-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 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.

On October 22, 1994, Trainmaster R. W. Coffman inserted a loose track wire into a temporary wire clamp that had previously been installed by a Signal Maintainer. That action permitted continued operation of hump at the Madison Retarder Yard until a first shift Maintainer made permanent repairs.

There is no evidence that any testing was performed by Trainmaster Coffman. Trainmaster Coffman's action of inserting a wire into a temporary wire clamp was de minimus. The claim will be denied.

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 13th day of August 1997.