

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 34178

Docket No. SG-35084

00-3-98-3-832

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

(Brotherhood of Railroad Signalmen

PARTIES TO DISPUTE:

**(CSX Transportation, Inc. (Chesapeake and Ohio
(Railway Company)**

STATEMENT OF CLAIM:

**“Claim on behalf of the General Committee of the Brotherhood of Railroad
Signalmen on the CSX Transportation Company (C&O):**

**Claim on behalf of L. E. Nicely, H. W. Spangler, and M. W. Moran for
payment of eight hours each at their respective straight time rate, account
Carrier violated the current Signalmen’s Agreement, particularly the
Scope Rule, when it used a contractor to install a pole at or near White
Sulphur Springs, West Virginia, on November 20, 1997. Carrier’s File No.
15(98-23). General Chairman’s File No. 97-130-CD. BRS File Case No.
10804-C&O.”**

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.

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This is a companion case to Third Division Award 34170. For the reasons set forth in that Award, this claim is 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 20th day of July, 2000.