

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19435
Docket Number SG-19149

Joseph E. Cole, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Clinchfield Railroad Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Clinchfield Railroad Company:

On behalf of Mr. Farrell Miller for twenty-four hours pay at the SC&E Maintainer rate of pay for work performed on July 15, 1969, at Mile Post 113, on July 31, 1969, at North Poplar; and on August 22, 1969, at Unicoi, Tennessee by Maintenance of Way force changing out insulated joints while Maintainer was performing other work and not allowed to be present when this work was being performed.

[Carrier's File: Signalmen]

OPINION OF BOARD: 1. The replacement of insulated joints does not bring the work within the Scope Rule of the agreement in this instance.

2. The matter was handled in a procedurally correct fashion.

3. Since the Scope Rule does not have an application here, the other matters brought up by the record do not have to be decided in this instance.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the Agreement was not violated.

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Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: *E. H. Killian*
Executive Secretary

Dated at Chicago, Illinois, this 17th day of October 1972.