

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20921
Docket Number SG-20623

Francis X. Quinn, Referee

PARTIES TO DISPUTE: ((Brotherhood of Railroad Signalmen
(George P. Baker, Robert W. Blanchette and Richard
(C. Bond, Trustees of the Property of
(Penn Central Transportation Company, Debtor

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

(a) The Carrier violated the Scope of the current agreement, when on July 1, 2, and 3, 1968 the Carrier allowed 10 men to work on a line relocation project between Mile Post 8 and Mile Post 9 on the I. & F. Branch. These men are not members of the Brotherhood of Railroad Signalmen and should not have done this work.

(b) Each and every one of the employees listed below be paid at like numbers of hours at their respective rates of pay for July 1, 2, 3, 1968 because of the violation cited in claim (a).

R. J. Glasson	- Inspection C&S
W. M. Nash	- Maintainer Test
W. O. Weaver	- Maintainer
D. E. Clayton	- Maintainer
G. H. Hoffa, Jr.	- Maintainer
J. P. Sparkmon	- Maintainer Test
A. K. Singleton	- Maintainer Test
F. L. Bussey	- Maintainer
W. C. Paxton	- Maintainer
M. W. Allee	- Helper

(c) That the Employees listed in claim (b) be paid a like number of hours at their respective rates of pay beginning with July 5, 1968, until the violation cited in claim (a) has ceased.

/Southern Territory. System Docket 680 - Indianapolis Case SCS-1-68/

OPINION OF BOARD: The record indicates that the Claimants were on duty and under pay on the four dates covered by the claim. There were no furloughed Signalmen in the seniority district who could have been used. Finally, we adhere to the principle that damages shall be limited to Claimants' actual loss. Since Claimants suffered no pecuniary loss in this instance, we will deny the claim.

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

That the parties waived oral hearing;

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.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST:

A.W. Parker
Executive Secretary

Dated at Chicago, Illinois, this 16th day of January 1976.