

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 21232
Docket Number SG-21019

Joseph A. Sickles, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(The Baltimore and Ohio Railroad Company

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Baltimore and Ohio Railroad Company:

(a) Carrier violated the current Signalmen's Agreement, as amended, particularly the Scope, seniority, promotions, hours of service, bulletining and assignment rules, historical and traditional practice, when it arranged or otherwise permitted the General Railway Signal Company to assemble two Type El-60 Retarders.

(b) Carrier should now be required to compensate all employees listed below at their pro-rata rate: -

<u>Name</u>	<u>Classification</u>	<u>ID No.</u>	<u>Rate per hour</u>	<u>Claim (days)</u>
R. D. Shinninger	Sig. Foreman	1404521	5.91	25
S. R. Culler	Sig. Mtr.	1404523	5.52	25
C. A. Reel, Jr.	Sig. Mtr. (Ind)	1404554	5.57	15
J. J. Miller	Sig. Mtr.	1413082	5.52	25
R. E. Thomas	Sig. Mtr.	1414916	5.52	20
T. A. Butler	Sig. Mtr.	1206936	5.52	15

(Carrier File: 2-SG-352)

OPINION OF BOARD: The Employees asserted a Scope Rule violation when Carrier obtained a pre-assembled retarder.

This dispute does not deal with work performed on the property. Rather, it deals with an item made at a factory. Such off-property work is not contemplated by the Agreement. See, for example, Award 20926.

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;

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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. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 14th day of September 1976.