

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

William G. Caples, Referee

Award Number 24290
Docket Number SG-24397

PARTIES TO DISPUTE: { Brotherhood of Railroad Signalmen
{ Elgin, Joliet and Eastern Railway Company

STATEMENT OF CLAIM: "Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Elgin, Joliet and Eastern Railway Company:

On behalf of Messrs. J. Manning, W. Dunsworth and I. Panepinto for eight hours each, at the pro rata rate of pay for February 25, 1981, and five hours each, at the pro rata rate of pay for February 26, 1981, when the company violated the scope of the current agreement by using C&E department employees to install a signal at the new electronic scale in the East Joliet Yard." (Carrier file: 144-216-73 SPL CASE: RD-3-81)

OPINION OF BOARD: In its statement of claim the Petitioner alleges a violation of the Scope Rule of the parties' agreement but in its submission has failed to show what language of the Scope Rule reserves the work in question to the Claimants. The Petitioners have thus failed to make a prima facie case and the claim must be denied.

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 Employee 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: Acting Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 14th day of April 1983.

