

The Third Division consisted of the regular members and in addition Referee Eckehard Muessig when award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(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 Chessie System (formerly C&O):

(a) Carrier violated the parties' Schedule Agreement, particularly Rule 34 - Seniority Districts - Limits, when on January 26 and 27, 1987, Carrier permitted and/or required signal employees of the Ashland seniority district to perform signal work on the Huntington seniority district of handling signal material under the control of the signal department when such material was removed from the KC Cabin and BS Junction signal maintainers' headquarters/tool house located on the Huntington seniority district.

(b) Carrier now be required to compensate Claimants named below two (2) days of 16 hours each at their applicable straight time rate of pay due to a loss of earning and work opportunity:

<u>Name</u>	<u>C&O ID No.</u>	<u>Classification</u>	<u>Rate of Pay</u>
C. M. Johnson	2618690	Leading Mtr.	\$14.13
C. D. Mayhew	2629465	Signal Mtr.	\$13.32
J. W. Mays	2629310	Signal Mtr.	\$13.82

G. C. File 87-14-CD. Carrier file 15-34 (87-21)"

FINDINGS:

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

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes 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 waived right of appearance at hearing thereon.

This is a Scope Rule Claim. While the parties have characterized the background causes of this Claim somewhat differently, it appears to the Board that the crux of this matter is that Carrier's employees in the Signalmen Craft in the Ashland Seniority District, on January 26 and January 27, 1987, removed materials from two different tool houses that were being dismantled. The Claimants, in effect, assert that this work is reserved to signal employees in the Huntington Seniority District. We find nothing in the Scope Rule that conveys an exclusive right to pick-up signal material on this property. Moreover, the Board notes that this type of issue or claim has been addressed many times in the past by arbitral authorities. These bodies have held that the handling of signal material is not work reserved to signal employees.

For all of the foregoing, we must deny the Claim.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest:


Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois, this 28th day of February 1990.