

The Third Division consisted of the regular members and in addition Referee when Rodney E. Dennis award was rendered.

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen
(
(Central of Georgia Railway Company

STATEMENT OF CLAIM: "Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Central of Georgia Railroad Company (CofGA):

Claim on behalf of Signal Maintainer M. E. Glenn, Headquarters Payne, GA and Signal Maintainer W.E Windham, headquarters Macon, GA, assigned working hours 8 am to 4:30 pm Monday thru Friday, rest days Saturday and Sunday, for the following:

(a) The scope of the Signalmen's Agreement was violated when Carrier instructed and permitted two B&B Department employees to take out of service and remove iron train order signal at Ft. Valley, Georgia on or about January 14, 1988 in violation of Signalmen's Agreement.

(b) Carrier now be required to compensate Signal Maintainers M. E. Glenn and W. E. Windham for 2 hours each at their overtime rate of pay in addition to any other pay they have received for work they were denied during the first period of January 1988 when two B&B Department employees worked two hours each on this iron train order signal at Ft. Valley, GA, Mile Post H 220.0." G.C. File CG-137. Carrier file SG-726.

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 employees 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.

As Third Party in Interest, the Brotherhood of Maintenance of Way Employees was advised of the pendency of this dispute and did not file a Submission with the Division.

On January 14, 1988, Carrier utilized B&B employees to remove an iron train order signal at Fort Valley, Georgia. The Organization filed a claim for two hours pay at the overtime rate in addition to any other pay received. The Claim was denied and has been placed before this Board for resolution.

This Board has reviewed the record and has carefully read the Organization's Scope Rule. Based on this review, we find no restriction against Carrier utilizing B&B workers to dismantle and scrap an abandoned iron train order signal. No signal work was performed by B&B employees. The instant Claim has no basis in the Agreement and consequently is denied.

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 24th day of September 1991.