

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

**Award No. 32090
Docket No. SG-32214
97-3-95-3-5**

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

**(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(The Atchison, Topeka and Santa Fe Railway Company**

STATEMENT OF CLAIM:

“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the Atchison, Topeka & Santa Fe Railway (ATSF):

Claim on behalf of L.E. Anderson, R.E. Thornton, K.F. LaCrue, D.E. Reif and E.J. Anderson for payment of 350 hours at the straight time rate and payment of 350 hours of the skill differential, account Carrier violated the current Signalmen's Agreement, particularly Rules 1 and 2, when it used an outside contractor to wire and install components for signal control equipment used at Mile Post 675.9 at East Raton, New Mexico, and deprived the Claimants of the opportunity to perform this covered work. Carrier's File No. 94-14-10. General Chairman's File No. 01-1199. BRS File Case No. 9525-ATSF.”

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employee 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 were given due notice of hearing thereon.

This dispute involves the same parties, the same negotiated rules agreement, the same Scope Rule, the same arguments and citations of authority as were advanced by the parties in their presentation of the case which became Third Division Award 32058 of this Board.

No useful purpose would be served by a repetition of the detailed conclusions reached by the Board in Award 32058. Rather, inasmuch as all material aspects of this case are the same as those found in Award 32058, the Findings and conclusions as set forth in that award are, by reference, made a part of this Award. This claim is likewise denied.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 9th day of July 1997.