

Form 1

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 33322
Docket No. SG-34682
99-3-98-3-341

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

PARTIES TO DISPUTE: (**Brotherhood of Railroad Signalmen**
(**CSX Transportation, Inc. (former**
(**Baltimore & Ohio Railroad Company)**

STATEMENT OF CLAIM:

“Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the CSX Transportation Company (B&O):

Claim on behalf of G. L. Thompson for payment of 40 hours at the straight time rate, account Carrier violated the current Signalmen’s Agreement, particularly the Scope Rule and Agreement S-069-87, when it used other than covered employees to install wiring and components for a case installed as part of the signal system at Evansville, Indiana, and deprived the Claimant of the opportunity to perform this work. Carrier’s File No. 15 (97-127). BRS File Case No. 10559-B&O.”

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.

In all significant respects, this case is similar to the dispute presented in and decided by Third Division Award 33319.

For the reasons outlined in Award 33319, this case is also 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 17th day of May 1999.