

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

George S. Ives, Referee

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

GULF, MOBILE AND OHIO RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Gulf, Mobile and Ohio Railroad that:

1. Carrier violated the agreement between the parties when, on December 10, 1958, it required or permitted a yardmaster at Glenn Yard, Illinois to perform the work of a block operator, handling Detour Orders governing the movement of trains against the current of traffic, at a time when the operator was off duty and available.

2. Carrier shall compensate A. A. Alcorn, second trick Telegrapher-Clerk at Glenn Yard on December 10, 1958 in the amount of two hours' pay at the time and one-half rate.

EMPLOYES' STATEMENT OF FACTS: The agreements between the parties are available to your Board and by this reference are made a part hereof.

Glenn Yard, Illinois is a station on this Carrier's lines near Chicago, Illinois, Carrier maintains a freight yard facility at this location for the purpose of making up and switching freight trains and other related work. The main tracks pass through this freight yard to the Union Station for the use of first class trains. There are employees in several classes and crafts employed at Glenn Yard.

For many years continuous communication service was maintained at this station with three basic positions and rest day relief. About 1951 Carrier reduced this to two shifts. The first shift with assigned hours of 6:00 A. M. to 2:00 P. M., and the second shift 4:00 P. M. to 12 o'clock midnight. These were the assignments in effect at the time cause for this claim arose. A. A. Alcorn was the assigned occupant of the second shift on December 10, 1958.

There are two main tracks in this territory and in accordance with the rules and special instructions one track is designated as the northward track and the other as the southward track. This is normal procedure and obviously adopted to facilitate the movement of trains and engines as a train moving on a track limited to movements in one direction only is relieved of the neces-

OPINION OF BOARD: This case is identical in all material respects to Award No. 12487. We adopt the opinion therein as determinative of the issues in this dispute.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees 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 Carrier did not violate the Agreement.

AWARD

Claim is denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 20th day of May 1964.