

SPECIAL BOARD OF ADJUSTMENT NO. 132

PARTIES: THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 12

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on May 22 and 23, 1951, it caused, required and permitted the Conductor on 1st 86 to deliver Train Order No. 264 to Engine 271 at Gillespie on May 22, 1951, and caused, required and permitted the Conductor on No. 86 to deliver Train Order No. 273 to Engine 271 at Gillespie on May 23, 1951.

2. Carrier be required to compensate senior idle telegrapher (extra in preference) for one day's pay (8 hours) on each of the above mentioned dates.

FINDINGS:

The sole question involved in this dispute is whether or not it is a violation of the Telegraphers' Agreement for the Conductor of a train to receive train orders from an operator at one point and deliver a copy of the same to the crew of a helper engine which is to assist his train at another point.

We can find no basis for a finding of violation of the Telegraphers' Agreement under the circumstances involved in this case. The helper engine became a part of the train at the point where it coupled on to assist the train as originally made up. Thus, it is no different in principle than if the helper engine were coupled into the train at the point where the operator delivered the train order to the conductor. Delivery of a copy of a train order by a conductor to the engineers handling his own train could not conceivably be considered an infringement on the Telegraphers' Agreement.

AWARD

Claim denied.

/s/ Francis J. Robertson
Francis J. Robertson
Chairman

/s/ B. N. Kinkead
B. N. Kinkead
Employe Member

/s/ T. S. Woods
T. S. Woods
Carrier Member

Dated at Baltimore, Md., this
26th day of April, 1957.