

SPECIAL BOARD OF ADJUSTMENT NO. 132

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

AWARD IN DOCKET NO. 84

STATEMENT OF CLAIM: 1. Carrier violated the agreement between the parties hereto when on September 23, 1955, it caused, required and permitted the conductor on Extra 115 East, an employee not covered by the Telegraphers' Agreement, to copy train order No. 39 at Renick Junction via DO Office Chillicothe, Ohio, which work was and is reserved solely to employees covered by the Telegraphers' Agreement.

2. Carrier be required to compensate the senior idle telegrapher (extra in preference) for one day's pay on the above date because of said violation.

FINDINGS: There is some conflict with respect to the exact point where the train order here involved was copied. However, the weight of the evidence indicates that the conductor was at Douglas Avenue yard office when the order was copied.

There has never been an operator's position at Douglas Avenue yard office and there is just this one isolated instance of a train order being copied at that point. For the reasons stated in our Findings in Dockets 1 and 19 we find no basis for a sustaining award here.

AWARD

Claim (1), (2) Denied.

/s/ Francis J. Robertson
Francis J. Robertson

/s/ B. N. Kinkead
B. N. Kinkead,
Employee Member, (Dissenting)

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

Dated at Baltimore, Maryland this 24th day of April, 1957.