

SPECIAL BOARD OF ADJUSTMENT NO. 132

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 85

STATEMENT  
OF CLAIM:

1. Carrier violated the agreement hereto when, at 1:31 p.m., November 23, Train Order No. 266 was addressed to Train No. 454, as of November 24 at Pickens, care No. 453, November 23 at Buckhannon, and on November 23 a Form A was made out and dated Pickens, November 24, 1955, addressed to C&E No. 454, Part 1 of Form A reading:

"I have one train order for your train.  
Train order numbers delivered No. 266.  
Messages delivered none. Proceed."

Part 2 read:

"General Orders in effect. Monongah  
Division No. 22."

The Form A was signed McCaulsky Operator, 7:59 AM.

2. Carrier be required to compensate William R. McTheny the agent-operator at Pickens, West Virginia, one call on November 24, 1955.

FINDINGS: At Buckhannon, West Virginia, on November 23, 1955, the crew of train No. 453 was given a train order for train No. 454 under which it was to operate on return trip from Pickens on the following day, November 24, 1955.

The claim here apparently is based upon the contention that an employee not covered by the Telegraphers Agreement handled train orders to be delivered to a train other than his own. We see no merit in such a contention. The record reveals that the Carrier has recognized that orders should not be delivered by the crew of one train or engine to the crew of another train or engine when the two are unrelated. In this instance, however, the same crew operated both trains. In effect what was done was no different than giving a round trip order.

AWARD

Claim denied.

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

/s/ B. N. Kinkead  
B. N. Kinkead,  
Employee Member

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

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