

SPECIAL BOARD OF ADJUSTMENT NO. 132

PARTIES:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 86

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on June 6, 1955, and subsequent dates, it caused, required and permitted employees not covered by the Telegraphers' Agreement to handle (receive, copy and deliver) train line-ups over the telephone for the protection of men and equipment ditching near the tracks at or about Chester, Pennsylvania, with a bucket crane.

2. Carrier be required to permit a joint check of its records to determine the number of violations occurring subsequent to the foregoing date.

3. Carrier be required to compensate the senior idle telegrapher (extra in preference) for one day's pay (8 hours) on the date shown above, and on all subsequent dates on which a joint check of records shows agreement to have been violated.

FINDINGS:

On the dates involved in the Statement of Claim Carrier's Maintenance of Way employees were engaged in ditching near the tracks at or about Chester, Pennsylvania. During the progress of the work information concerning movements of trains in that area was obtained by the Maintenance of Way forces by telephone from operators at FY Tower to the east and SD Tower to the west.

The principles governing the disposition of this claim are similar to those involved in our Findings in Docket 80. For the reasons therein stated we find that this claim should be denied.

AWARD

Claims (1) (2) (3) denied.

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

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

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

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