

SPECIAL BOARD OF ADJUSTMENT No. 132

PARTIES:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 87

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on July 11, 1955, and subsequent dates, it caused, required and permitted maintenance of way employees not covered by the Telegraphers' Agreement to handle (receive, copy and deliver) train line-ups from the operators at Outville and Heath for the use of workmen repairing Bridge 136 located about half way between Outville and Heath.

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 Telegraphers' Agreement to have been violated.

FINDINGS:

On the dates of claim Maintenance of Way forces were repairing Bridge 136 located about half-way between Outville and Heath, Ohio. A portable telephone was used by the Maintenance of Way employees to secure information concerning train movement from operators located at Outville and Heath.

The same principles are applicable here as in our Findings in Docket 80. For the reasons therein stated we find no basis for a sustaining Award here.

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, Md., this
26th day of April, 1957.