

SPECIAL BOARD OF ADJUSTMENT NO. 186

AWARD NO. 1

Organization's File

C-922

Carrier's File

TE-15-55

STATEMENT OF CLAIM:

"Claim of the General Committee of The Order of Railroad Telegraphers on The Denver and Rio Grande Western Railroad that,

"1. The Agreement between the parties was violated in the method employed by the Carrier in the handling of orders between Clearfield, Utah and Roy, Utah, on October 12, 18 and 21, 1955; also in its refusal to pay the senior idle telegrapher for such violation.

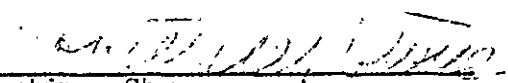
"2. Carrier shall be required to compensate F. J. Stuber on October 12, 1955, D. L. Nash on October 18, 1955, and W. R. Estes on October 21, 1955, in the amount equivalent to one day's pay each as a result of the violation."

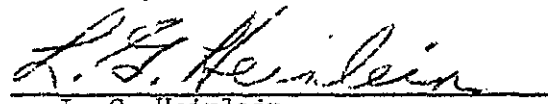
FINDINGS: On the dates involved Agent-Telegrapher Steck, regularly assigned incumbent of the agent-telegrapher position at Clearfield, Utah, received and copied train orders and clearance cards at Clearfield which were addressed to the conductor and engineman on work extra at Roy, Utah, in care of Mr. Steck, and was instructed to and did deliver the train order and clearance card by use of his automobile to the conductor and engineman on the work extra at Roy.

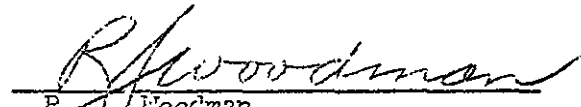
The telegraph office formerly existing at Roy had been abolished and that station was listed as a blind siding. Except in case of emergency, train orders addressed to Roy constituted work belonging to a telegrapher at Roy. Mr. Steck was assigned to a position at Clearfield, not Roy. The contract was violated. The claim should be sustained.

Award No. 1 (Continued)

AWARD: Claim sustained.


Mortimer Stone
Chairman, Neutral Member


L. G. Heinlein
Carrier Member


R. J. Woodman
Organization Member

Dated at Denver, Colorado, August 30, 1957.