

406-3

AWARD NO. 67

CASE NO. 69
Sub-2618 TE-10487
394-335/4 (92-57)

SPECIAL BOARD OF ADJUSTMENT NO. 266

THE ORDER OF RAILROAD TELEGRAPHERS

vs.

THE DELAWARE, LACKAWANNA & WESTERN RAILROAD COMPANY

EMPLOYEES' STATEMENT OF CLAIM:

- 1) The Carrier violated and continues to violate the parties' Agreement at Cheektowaga, N.Y. (East Buffalo Yard) when, effective June 7, 1957, it converted the spring switch and governing automatic signals at the east bound pull-out to power operation, and assigned the work of operating said switches and signals, by remote control, to the Train Dispatchers at Buffalo, New York.
- 2) The Carrier shall, because of the violation set forth above, pay to each of three (3) idle employees, extra in preference, under the Telegraphers' Agreement, eight (8) hours' pay for each day (3 eight hour shifts around the clock) at the minimum towerman's rate on the Division commencing June 7, 1957, and so long thereafter as the violation continues to exist, with a joint check of Carrier's records to determine the payees.

OPINION OF BOARD:

There is no showing in this case that any work was transferred from telegraph service employees to train dispatchers. There is no requirement in the Agreement that the subject operation must be controlled by a towerman instead of by a train dispatcher under the confronting circumstances.

AWARD: Claim denied.

/s/ Lloyd H. Bailer
Lloyd H. Bailer, Neutral Member

Dissenting
W. I. Christopher, Employee Member

/s/ R. A. Carroll
R. A. Carroll, Carrier Member

New York, N.Y.
December 3, 1959.