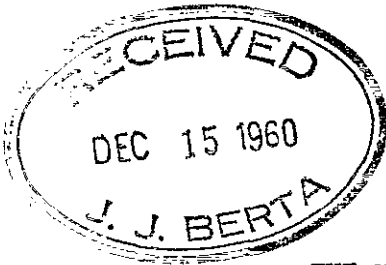


CASE NO. 12
ORT 2413



SPECIAL BOARD OF ADJUSTMENT NO. 306

THE ORDER OF RAILROAD TELEGRAPHERS

VS.

THE NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY

STATEMENT
OF CLAIM:

"Claim of the General Committee of The Order of Railroad Telegraphers on The New York, New Haven and Hartford Railroad, that:

1. Carrier violated the agreement between the parties when it required or permitted employes not covered by said agreement to handle (receive, copy and deliver) train orders and to perform block operator's work at Allys Point, Connecticut, on August 7, 13 and 14, 1956.
2. Carrier shall now compensate the senior idle employe, extra in preference, on the seniority district, in the amount of one day's pay (8 hours) on each date of such violation."

FINDINGS:

It appears that under Article 20 similar claims were paid on the property to the senior extra qualified employe available, if any. The provisions of Article V, Section 1 (a) of the August 21, 1954 agreement, regarding the making of claims by or on behalf of the employe involved, do not substantially differ from the provisions of Article 26 (a), in effect on this property when such settlements were made.

Under such circumstances the practices adopted by the parties govern determination of this claim.

AWARD:

Claim sustained for the senior extra qualified employe available, if any, on the dates stated.

SPECIAL BOARD OF ADJUSTMENT NO. 306

/s/ Dudley E. Whiting
DUDLEY E. WHITING, REFEREE

/s/ Russell J. Woodman
RUSSELL J. WOODMAN, Employee Member

/s/ J. J. Gaherin
J. J. GAHERIN, Carrier Member

DATED: October 7, 1960.