

Award No. 112
Case No. None
(BU 8165/69-33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties: THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 112

STATEMENT
OF CLAIM:

1. (a) Carrier violated the Agreement between the parties when on January 2, 8, 15, 1961, it did not use E. E. Aurand, second trick Operator C&M Junction, to perform work of his regular position on his rest days.

(b) Carrier shall be required to compensate E. E. Aurand in the amount of a day's pay (8 hours) on each of the dates set forth above.
2. (a) Carrier violated the Agreement between the parties when on January 29 and February 26, 1961, it did not use E. L. Leach, third trick Operator C&M Junction, to perform work of his regular position on his rest days.

(b) Carrier shall be required to compensate E. L. Leach in the amount of a day's pay (8 hours) on each of the dates set forth above.

FINDINGS: Because of our Findings in Docket No. 103, we will sustain the claim here for four reasons:

1. The locale of the alleged violation is C. and M. Junction.
2. There already were three regularly established positions in continuous service around the clock, five days a week.
3. The established starting times of the three positions are 7:00 a.m., and 3:00 and 11:00 p.m.
4. When Carrier requires that work be performed on the rest days of the positions, the work must fall within the established time limits of the position or positions required to be worked.

A W A R D

Claim sustained.

/s/ Edward A. Lynch
Edward A. Lynch

/s/ R. K. Anthis
R. K. Anthis
Employee Member

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

Dated at Baltimore, Maryland,
this 16th day of April, 1963.