

AWARD NO. 138  
CASE NO. (none)  
BU 8032-33

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 138

STATEMENT  
OF CLAIM:

1. Carrier violated the Agreement between the parties when on January 12, 1961 it required or permitted a track supervisor, not covered by said Agreement, to handle a message at Cridersville, Ohio.
2. Carrier shall be required to compensate Operator M. R. Barnett in the amount of a day's pay (eight hours) on January 12, 1961.

FINDINGS:

The telephone conversation between Carrier's Track Supervisor and the Division Engineer's Department as well as the Trainmaster dealt mainly with the transmission of the consist of work train.

Settlement of prior claims on this property have been made where a consist was involved, on the premise a consist is a message of record. Prior awards of this Board have sustained claims involving consists.

A W A R D

Claim sustained.

s/ Edward A. Lynch  
Edward A. Lynch  
Chairman

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

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

Dated at Baltimore, Maryland,  
this 31st day of May, 1963.