

CASE NO. 77
AWARD NO. 20
ORT FILE BU 5775-33

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

STATEMENT OF CLAIM: 1. Carrier violated the Agreement between the parties when on September 10, 1957, it required or permitted train service employees to "OS" trains, report clear of the main track and to receive and copy train orders and Form A at PW&S Junction, Pennsylvania.

2. Carrier shall compensate an idle operator in the amount of a day's pay (8 hours) on September 10, 1957.

FINDINGS:

Because an operator position has not existed at PW&S Junction, Pennsylvania, since September 24, 1955, it cannot now be held to be a "station", within our interpretation of Revised Article 35. It can be properly called a location within the station limits of Somerset Tower.

AWARD

Claim denied.

/s/ Edward A. Lynch
Edward A. Lynch
Chairman

/s/ B. N. Kinhead
B. N. Kinhead
Employee Member
Dissenting

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

Dated at Baltimore, Maryland, this 31st day of August 1961.