

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 253

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when, on October 24, 1960, it required or permitted an employee not covered by the Agreement to transmit a message at Benton Ferry, West Virginia.
2. Carrier shall compensate Operator J. G. McIntyre in the amount of a day's pay (3 hours) on October 24, 1960.

FINDINGS:

The message here subject to claim was telephoned by a Section Foreman to three Carrier officials advising them that on the following day all trains operating between two specific points between the hours of 7:00 A.M., and 3:01 P.M., would have to reduce speed to 10 miles per hour.

In consequence of this use of the phone, a train order was issued restricting the speed of trains in that area for the period specified. This was a violation of the Agreement.

A W A R D

Claim sustained.



Edward A. Lynch
Chairman



C. R. Pressly
Employee Member



E. E. Plitt
Carrier Member

Dated at Baltimore, Maryland
this 16th day of September, 1964.