

CAR. FILE: 2747  
COM. FILE: A-3537  
GR. DIV. BU-9139-33  
CASE NO. 255

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 255

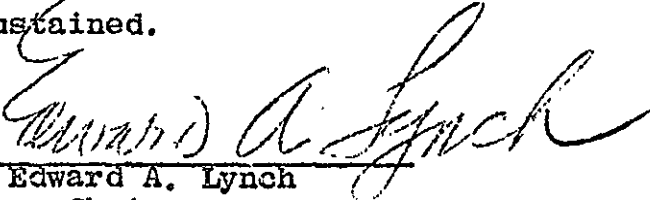
STATEMENT OF CLAIM: 1. Carrier violated the agreement between the parties when on December 22, 1961, it required or permitted an employee not covered by the agreement to communicate direct with the train dispatcher during a time when the agent-operator at Gassaway, West Virginia, was off duty during his meal hour.

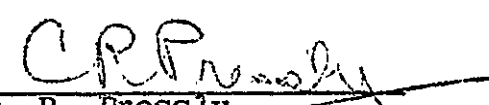
2. Carrier shall compensate Agent-Operator E. R. Brunt for one hour at the overtime rate on December 22, 1961.

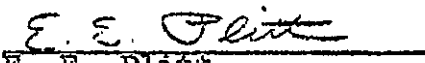
FINDINGS: The contents of the protested telephone conversation were such as to fall within the definition of "message". It was definitely concerned with the makeup of a train and the movement of the cars which made up the train.

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.