

CASE NO. 103
AWARD NO. 27
ORT FILE BU 5801-33

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 January 28, 1959 it required or permitted a train service employe to receive and copy a train order at Zimmerman, Ohio.

2. Carrier shall compensate an idle operator in the amount of a day's pay (8 hours) on this date.

FINDINGS:

There is no question that the copying of the train order here involved is a violation. The same conductor copied another train order at another location on the same day, for which Carrier has already paid.

As we held in our award in Docket No. 2 we will hold here that the Carrier does not have to pay twice for two violations by the same person on the same day.

AWARD

Claim denied.

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

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

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

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