

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 285

STATEMENT OF CLAIM: 1. Carrier violated the Agreement between the parties when on April 17, 1961, it required or permitted employees not covered by the Agreement to transmit and receive messages between Buckhannon and Grafton.

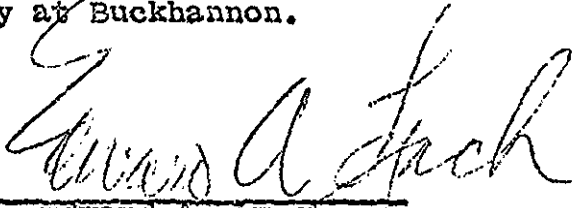
2. Carrier shall compensate Operators M. L. Marple and E. F. Davis each in the amount of a day's pay (8 hours) on April 17, 1961.


FINDINGS: We have examined the parties' presentations here and must find that a sustaining award is required.


We say so on the basis of Carrier's settlement of a claim covered by its File No. 2610 where the Carrier agreed to pay a claim based on transmission by telephone of instructions to a crew on the disposition of empties. We sustained similar claims in our Award in Dockets Nos. 39, 49 and 50.

A W A R D

Claim sustained for a call payment to an operator off duty at Buckhannon.


Edward A. Lynch
Chairman


C. R. Pressly
Employee Member


E. E. Plitt
Carrier Member

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