

SPECIAL BOARD OF ADJUSTMENT NO. 355

CASE NO. 3  
AWARD NO. 3  
ORT FILE 2337

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

AWARD IN DOCKET NO. 3

STATEMENT  
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when, on April 4-9-10-11-12-13-16-17-18-19-20-23-24-25-26-27 and 30; May 1-2-3-4-7-8-9-10-11-14-15-16-17-18-21-22-23-24-25-28-29 and 31; June 1-4-5-6-7-8-28 and 29; and July 2-3-5-6-9-10-11-12-13-16 and 17, 1956, respectively, it caused, permitted and required a conductor, an employe not covered by the Telegraphers' Agreement, to handle (receive, copy and deliver) train lineups for a contractor constructing an overhead bridge over the railroad tracks east of McCool, Indiana, which work was and is reserved to employes covered by the Telegraphers' Agreement.

2. Carrier be required to compensate an idle telegrapher (extra in preference) for pay for one day (8 hours) on each date hereinbefore listed.

FINDINGS:

Under the circumstances obtaining in this claim, we must and will conclude that the Interpretation to Article 34 governs, rather than Article 35, and this claim will be sustained.

AWARD

Claim sustained.

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

/s/ B. N. Kinkead  
B. N. Kinkead  
Employee Member

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

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