

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 59
CASE NO. 14
(BU 2577-33)

AWARD IN DOCKET NO. 59

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when on November 8, 10 and 15, 1956, it required or permitted the Crew Dispatcher at Rossford (Toledo, Ohio), an employee not covered by the Telegraphers' Agreement, to communicate direct with the train dispatcher at Deshler, Ohio by telephone and transmit and receive messages concerning the movement of trains.
2. Carrier shall compensate an idle telegrapher (extra in preference) for one day's pay (eight hours) on November 8, 10, 15, 1956 and all subsequent dates, on which a joint check of the records shows the Agreement to have been violated.

FINDINGS:

The three conversations upon which this claim is predicated are inquiries x x x not messages. They are permissible conversations and do not violate the Agreement.

This claim will, therefore, be denied.

A W A R D

Claim denied.

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

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

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

Dated at Baltimore, Maryland,
this 20th day of February, 1962.