

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 72
CASE NO. 158
(BU-5856-33)

AWARD IN DOCKET NO. 72

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when on December 14, 18, and 26, 1958, it required or permitted employees not covered by the Agreement to transmit or receive messages at Johnstown, Pennsylvania.
2. Carrier shall compensate the occupant of the operator position at Johnstown, in the amount of a minimum call payment of each date set forth above.

FINDINGS:

The type of information involved in the conversations here in dispute is that type we have already held to be permissible. Accordingly, this claim will be denied.

A W A R D

Claim denied.

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

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

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

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