

CASE NO. 49  
DOCKET NO. 95  
BU-5876-33

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 95

STATEMENT  
OF CLAIM:

1. Carrier violated the Agreement between the parties when it failed to use Agent F. J. Eberhardt to fill his regularly assigned position at Winton Place, Ohio on Saturday, July 27, 1957, one of his assigned rest days, in the absence of the regular relief employee and a qualified extra employee.
2. Carrier shall compensate F. J. Eberhardt in the amount of a day's pay (eight hours) at the time and one-half rate.

FINDINGS:

It is evident that agents in Cincinnati Terminal, by custom, maintain a record of their correct telephone number in the office of the Terminal Agent and, because that office is not continuously open, also at the office of the chief dispatcher in RH Tower.

When Claimant moved and was given a new telephone number, it was his obligation to file the new number at both places. This he did not do.

A W A R D

Claim denied.

/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 20th day of February, 1962.