

SPECIAL BOARD OF ADJUSTMENT NO. 355

Award No. 99

Case No. 55

(BU 5883-33)

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

AWARD IN DOCKET NO. 99

STATEMENT  
OF CLAIM:

1. Carrier violates and continues to violate the Agreement between the parties when it assigns work of the position of Ticket Agent at Piqua, Ohio, to persons outside the Agreement on the Sunday rest day of the position.
2. Carrier shall compensate A. T. Warren, regularly assigned Ticket Agent at Piqua, or his successor, in accordance with Article 22, Section 1 (1) of the Agreement on each Sunday commencing on August 17, 1958 and continuing thereafter until the violation is corrected.

FINDINGS:

Two types of work are here involved: (1) the opening and closing of the waiting room door by a contractor and (2) the same contractor handles mail to and from trains Nos. 54 and 53.

In respect of item (1), opening and closing a door is work which is exclusive to no class of employees; and while there is no Rules violation in the handling of mail by a contractor (U.S. Railroad Administration interpretation) the Sunday handling of mail here has always been under contract.

A W A R D

Claim denied.

/s/ Edward A. Lynch  
Edward A. Lynch

/s/ R. K. Anthis  
R. K. Anthis  
Employee Member

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

Dated at Baltimore, Maryland,  
this 16th day of April, 1963.