

AWARD NO. 24
CASE NO. 24
ORT 3282

SPECIAL BOARD OF ADJUSTMENT NO. 421

THE ORDER OF RAILROAD TELEGRAPHERS)
vs.)
NEW YORK CENTRAL RAILROAD, EASTERN DISTRICT)
(Except Boston and Albany Division) and)
NEW YORK DISTRICT)

STATEMENT OF CLAIM:

Claim of the General Committee of The Order of Railroad Telegraphers on the New York Central (Eastern District) that:

1. Carrier violated the Telegraphers' Agreement on October 2, 1959, 11:00 P.M., when it closed the office "WS" at Cherry Tree Junction, Pennsylvania, and transferred the work of blocking trains and handling train orders to train service employes.
2. Carrier shall now restore the third trick, 11:00 P.M., to 7:00 A.M., and compensate extra employe Mrs. G. R. Craig, for 8 hours at "WS" rate, for October 2, 1959, and the senior extra employe, for each and every day hereafter that the violation occurs.

OPINION OF BOARD:

Part 1 of the claim will be sustained to the extent that a violation occurred on October 2, 1959 when a train order was copied direct from the train dispatcher by the conductor at WS, a location at which an operator covered by the subject Agreement was employed but not on duty. It had been the practice for the conductor to secure train orders from the third trick operator on duty at WS prior to the time the third trick was discontinued.

Part 2 of the claim will be sustained with respect to the compensation requested for Claimant Craig for October 2, 1959. The remainder of Part 2 of the claim will be denied due to the lack of evidence of a continuing violation.

AWARD:

Claim sustained in part and denied in part as stated in the above Opinion of Board.

/s/ Lloyd H. Bailer
Lloyd H. Bailer, Chairman

/s/ L. Faulds
L. Faulds, Carrier Member

/s/ R. J. Woodman
R. J. Woodman, Employe Member

June 25, 1963

September 9, 1963