

Award No. 26 Case No. 26 NRAB Case ----

## 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:

- 1. Carrier violated Article 1 of the Telegraphers' Agreement when on May 19, 1960, it required and permitted Road Foreman of Engines Harris, an employe not covered by the Agreement, to perform the work of transmitting communications of record by telephone at Kingston, New York.
- 2. In consequence of this violation Carrier shall compensate G. W. Trowbridge, idle, extra telegrapher, first out, for 8 hours at the rate of \$2.50 per hour, for the violation aforesaid.

## OPINION OF BOARD:

This claim is based on the contention that on the date in question a supervisory employee not covered by the subject Agreement transmitted a communication of record by telephone at Kingston, New York. However, no evidence has been produced to show that a record was made of the communication involved and for this reason the claim must be denied.

## AWARD:

Claim denied.

/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