

AWARD NO. 27
CASE NO. 27
(No NRAB No.)

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 the terms of the Telegraphers' Agreement when on March 12, 1960, it failed to notify Mr. M. J. Crounse, an extra employe, assigned to work the vacancy on Relief Position No. 15, all tricks at Interlocking-7, Carman, New York, that his assignment at Int.-7 was terminated as of the 12th and that Mr. A. Pacifico would cover the position effective with 7:00 A.M., March 13, 1960.
2. Carrier shall compensate Mr. Crounse eight (8) hours pay at the pro rata rate of the position (\$19.92) for not notifying him not to report at Int.-7, on March 13, 1960.

OPINION OF BOARD:

This claim is based on the contention that the Carrier failed to notify extra employee M. J. Crounse on March 12, 1960 that his assignment at Int.-7 was terminated on that date and that employee A. Pacifico would cover the position effective at 7:00 A.M. on March 13, 1960. The Carrier states that it called the claimant at his home at 11:30 A.M. on March 12, 1960 to notify him that the temporary vacancy he had held was being terminated and that Pacifico would cover the position beginning March 13. The Carrier further states that Claimant Crounse was not at home at the time of this call and a message containing the above information was therefore left with Claimant's housekeeper. The Carrier also says that this message was given in accordance with the practice that had been in effect for a considerable time as a means of contacting the claimant regarding work assignments.

While the claimant denies the Carrier's statement that a call to him was delivered by phone to his housekeeper during his absence from home, the record does not contain any denial of the receipt of this call by the housekeeper herself. In view of this state of the record, the claim must be dismissed.

AWARD:

Claim dismissed.

/s/ L. Faulds	/s/ Lloyd H. Bailer	/s/ R. J. Woodman
L. Faulds, Carrier Member	Lloyd H. Bailer, Chairman	R. J. Woodman, Employe Member
June 25, 1963		
September 9, 1963		