

Award No. 3
Docket No. 3
GR. DIV.: 3303

SPECIAL BOARD OF ADJUSTMENT NO. 591

THE ORDER OF RAILROAD TELEGRAPHERS

vs.

READING COMPANY

STATEMENT OF CLAIM: "Claim of the General Committee of The Order of Railroad Telegraphers on the Reading Company, that:

1. Carrier violated the agreement between the parties when on June 5, 6, 7, 8, and 9, 1960, it required or permitted employes not covered by the agreement to handle (receive, copy and deliver) train orders at Fairhill Junction, Pa.
2. Carrier shall compensate an extra telegrapher in the amount of a day's pay for each shift on each date the violations occurred; J. J. Moyer on the first shift, G. E. Strelitz on the second shift, and J. W. Milnes, Jr., on the third shift, (5 days each)."

FINDINGS: Water and debris from a fire adjacent to the Richmond Branch within Philadelphia yard and switching limits caused some interference with operations thereon. Train orders were issued through the towerman at NI to train crews by telephone at Fairhill Junction, the starting point of the Richmond Branch. There has never been a telegrapher assigned to Fairhill Junction.

It is conceded that Article 34, the train order rule, is not applicable as no telegrapher was assigned at the point involved. Under those circumstances the use of the telephone to deliver the train order to the train crew is not a substitute for work formerly performed by telegraph. Rather it is a substitute for messenger service, a member of the train crew walking to the telegraph office, or the telegrapher walking to the train, such as was necessary before the use of wayside telephones. Under these circumstances the claim is not sustainable.

AWARD: Claim denied.

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/s/ Dudley E. Whiting
Dudley E. Whiting, Chairman

/s/ John T. Finnegan
JOHN T. FINNEGAN Dissenting
Organization Member

/s/ V. W. Bigelow
V. W. BIGELOW
Carrier Member

PHILADELPHIA, PA.

January 11, 1966.