

AWARD NO. 5

DOCKET NO. 5

GR. DIV.: 3340

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 and continues to violate the agreement between the parties when on June 10, 1960, and each day thereafter it requires or permits train service employes not covered by the agreement to transmit reports and/or messages by telephone at Chestnut Hill, Pennsylvania.
2. Carrier shall compensate J. J. Moyer or the senior idle telegrapher, extra in preference, in the amount of a day's pay at the Chestnut Hill rate of pay beginning June 10, 1960, and continuing thereafter, until the violation is corrected. Violations and beneficial claimants to be determined by a joint check of Carrier's records."

FINDINGS:

It appears that conductors have always reported to the towerman at WS by use of the wayside phone at Chestnut Hill, when there was no operator on duty there. As noted in Award No. 4 the scope rule lists positions, not work, and it has been held that the work reserved to those positions is that performed exclusively by them customarily in the past.

Under the circumstances shown this claim is not sustainable.

AWARD: Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 591

/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.

JAN 10 1966

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