

SPECAIL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 33/10  
CASE NO. 33  
ORT FILE: 2940

AWARD IN DOCKET NO. 33/10

STATEMENT  
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on February 6, 7, 14, 19, 20, 21, 24, 25, 26, 27 and 28, 1958, it caused, required and permitted Track Foreman Miller, an employe not covered by the Telegraphers' Agreement, to handle, receive, copy and deliver Track Car Line Ups (Forms 1089-D) at Mile Post 12 on the C. L. & W. Sub-Division of the Wheeling Division.
2. Carrier be required to compensate an idle operator, extra in preference, pay for one day (8 hours) on each date listed above because of said violations.

FINDINGS:

Mile Post 12, Barton, Ohio is the locale of this claim. The track foreman copied track car lineups at Mile Post 12 from the operator at Fairpoint, Ohio.

Barton, Ohio is not located at Mile Post 12, but at Mile Post 12 plus 35 poles.

An examination of this record leads us to conclude that Mile Post 12 is well beyond the eastern extremity of the track facilities of the former station at Barton, hence, beyond its station limits. The claim will be denied.

A W A R D

Claim Denied.

/s/ Edward A. Lynch  
Edward A. Lynch  
Chairman

/s/ B. N. Kinkead  
B. N. Kinkead     Dissenting  
Employee Member

/s/ T. S. Woods  
T. S. Woods  
Carrier Member

Dated at Baltimore, Md., this  
20th day of February, 1962.