

SPECIAL BOARD OF ADJUSTMENT NO. 355

AWARD NO. 33/13

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

CASE NO. 33

ORT FILE: 2940

AWARD IN DOCKET NO. 33/13

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on November 7, 8, 26, 27, 29 and December 2, 4, 5 and 6, 1957, and subsequent dates, it caused, required and permitted Track Car Operators, employees not covered by the Telegraphers' Agreement, to handle, copy, receive and deliver track car line ups (Forms 1089-D) at Mile Post 137 plus 22 poles for the operation of track cars, which work was and is reserved solely to employees covered by the Telegraphers' Agreement.
2. Carrier be required to compensate an idle operator, extra in preference, pay for one day on each date listed above, and on all subsequent dates similar violations occur at said location.

FINDINGS:

The pivotal point here is Mile Post 137-plus 22 poles.

A two-trick telegraph office at Huron was closed March 8, 1950.

Mile Post 137-22 is about 374 feet east of the east passing track switch, and 2,770 feet east of the location of the former telegraph office at Huron. It is beyond the station limits of Huron and the call is permissible at that point.

A W A R D

Claim denied.

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

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

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

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