

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 33/3
CASE NO. 33
ORT FILE: 2940

AWARD IN DOCKET NO. 33/3

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto, when on February 11, 12, 13, 14, 16, 17, 18, 19, 21, 24, 25, 26, 27 and 28, 1958, it caused, required and permitted employees not covered by the Telegraphers' Agreement to receive, copy and deliver track car line ups at Mile Posts 238, 239 and 6 on the Main Line Sub-Division of the Pittsburgh Division of The Baltimore and Ohio Railroad Company.
2. Carrier be required to compensate an idle operator for pay for one day (8 hours) on each date listed.

FINDINGS:

We are concerned with the securing of 19 track car lineups in February, 1958 at Brook, Pa. A telegraph office was located at Brook subsequent to 1928, and was closed in 1952.

It is the Carrier's contention that the track car lineups were copied at points beyond the station limits of Brook; that they were copied at Mile Posts 238, 239 and 6.

Mile Post 238 is 2,816 feet east of the point of switch at the east end of the east crossover, and 3,182 feet east of the former location of BO tower, while Mile Post 6 is 8,402 feet west of the point of switch at the west end of the west crossover, and 8,757 feet west of the former location of BO tower.

It is clear that the points at which the track car lineups were copied were well beyond the station limits of the former telegraph office at Brook. Claim will be denied.

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.