

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 33/6
CASE NO. 33
ORT FILE: 2940

AWARD IN DOCKET NO. 33/6

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto, when on September 30, and October 1, 8 and 16, 1958, respectively, it caused, permitted and required section foremen, employees not covered by the Telegraphers' Agreement, to receive, copy and deliver, track car line ups, (Forms 1089-D) at Nebraska, Indiana, which work was and is reserved solely to employees covered by the Telegraphers' Agreement.
2. Carrier be required to compensate the operators named in said claim pay for one day (8 hours) on each date named in said claim.

FINDINGS:

We are concerned here with Nebraska, Indiana.

Carrier contends the point at which the track car lineups were copied was 200 feet outside of the limits of the passing track (station limits) at Nebraska. A telegraph office was located at Nebraska subsequent to 1928.

This fact is not denied by the Organization, although it offers the same contentions in support of its claim here as it did in prior dockets of this kind.

The track car lineups here involved were copied beyond the station limits of Nebraska and the 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.