

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 33/7  
CASE NO. 33  
ORT FILE: 2940

AWARD IN DOCKET NO. 33/7

STATEMENT  
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on October 23, 24, 25, 28, 29, 30 and 31, 1957, and all subsequent dates when it caused, required and permitted employees not covered by the Telegraphers' Agreement to copy, receive and deliver track car line ups (Forms 1089-D) at Mile Post 171 plus 20 poles, about 1400 feet west of the former telegraph office at Steward, Ohio.
2. Carrier be required to compensate an idle telegrapher pay for one day (8 hours) on each of said dates: October 23, 24, 25, 28, 29, 30 and 31, 1957, and on all subsequent dates on which similar violations occur.
3. Carrier be required to permit a joint check of its records to determine the number of subsequent violations.

FINDINGS:

The track car lineups here complained of were copied at Mile Post 171 plus 20 poles.

Steward is the location of a post-1928 telegraph office. There is another closed telegraph office located to the west at Cole.

Stewart's track facilities consist of a 2288ft. passing siding on the south side of the main track and a 563 ft. stub track on the north side.

Mile Post 171 plus 20 poles is 477 feet west of the switch at the west end of the Steward siding, and 1962 feet east of the former telegraph office at Cole.

Mile Post 171-20 is beyond the station limits of Steward and Cole.

A W A R D

Claim denied.

/s/ Edward A. Lynch  
Edward A. Lyncey  
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.