

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 33/9
CASE NO. 33
ORT FILE: 2940

AWARD IN DOCKET NO. 33/9

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on February 10, 11, 12, 13, 14, 17, 18, 19, 21, 24, 25, 26 and 28, 1958, it caused, required and permitted Track Foreman Henry, an employe not covered by the Telegraphers' Agreement, to handle, receive, copy and deliver track car line ups at Mile Post 178 on the Ohio River Sub-Division of the Wheeling Division, at or near Gallipolis Ferry, West Virginia, which work was and is reserved solely to employes covered by the Telegraphers' Agreement.
2. Carrier be required to compensate an idle operator pay for one day on each date listed above because of said violations.

FINDINGS:

While Carrier never had a train order station at Mile Post 178, it did have a train order station at Gallipolis Ferry, Mile Post 178.8 and the parties are agreed that when the Gallipolis Ferry train order station was open the track foreman secured his track car lineups from the operator at Gallipolis Ferry from Mile Post 178 where the where the toolhouse locates.

Mile Post 178 is 1,570 ft. east of the point of switch at the east end of the siding at Gallipolis. It is beyond the station limits at Gallipolis, and the claim will be denied.

A W A R D

Claim denied.

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

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

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

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