

SPECIAL BOARD OF ADJUSTMENT NO. 117

ORDER OF RAILROAD TELEGRAPHERS
and
MISSOURI PACIFIC RAILROAD COMPANY

Claim of the General Committee of The Order of Railroad Telegraphers on the Missouri Pacific Railroad that:

1. Carrier violated Rule 1 and Rule 2 of the Telegraphers' Agreement when it permitted or required Conductor Bargiel to copy train order No. 28 on May 25, 1955, at BB Junction, on the Central Division.
2. Carrier shall be required to compensate A. L. Thomas, the senior idle available Telegrapher, for 8 hours at the pro rata pay of the minimum Telegrapher's rate of pay on the Central Division.

OPINION OF BOARD: While existing facts in this claim are not identical with those present in Docket No. 18, said claim under consideration here involves the same parties and the same rules as were present in Docket No. 18, Award No. 18, previously considered by this Board.

It is the opinion of the Board that the controlling factual situation here present, when considered in the light of the cited rules, is comparable to that considered and applied in the aforesaid award. For the reasons stated and to the extent indicated in Award No. 18, this claim is denied.

FINDINGS: The Special Board of Adjustment No. 117, upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act as approved June 21, 1934.

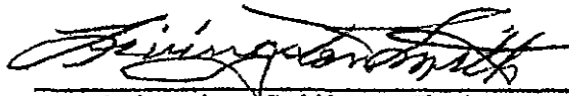
That this Special Board of Adjustment has jurisdiction over the dispute involved herein; and


That the Carrier did not violate the effective agreement.

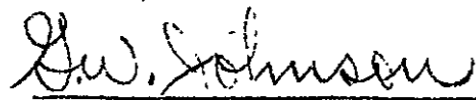
AWARD

Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 117


Livingston Smith -- Chairman


C. O. Griffith - Employee Member
St. Louis, Missouri
July 10, 1956


G. W. Johnson - Carrier Member