

SPECIAL BOARD OF ADJUSTMENT NO. 132

PARTIES: THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 23

STATEMENT OF CLAIM: 1. Carrier violated the Agreement between the parties hereto when on December 8, 1952, it caused, required or permitted Brakeman Kinney on train No. 98, an employee not covered by the Telegraphers' Agreement to handle (receive, copy and deliver) Train Order No. 214 at High Grade Crossing about one mile west of St. Marys, West Virginia, which work was and is reserved solely to employees covered by the Telegraphers' Agreement.

2. Carrier be required to compensate Mr. H. E. Nowell, the agent-operator at St. Marys one special call of two hours at overtime rate because of said violation on December 8, 1954.

FINDINGS: On the date of claim the crew of train #98 held a train order instructing them to wait at the train order station at St. Marys until 7.40 A.M. At High Grade, approximately $\frac{1}{2}$ mile from the train order station at St. Marys, the head brakeman called the dispatcher to obtain an annulment of the wait order. Other trains which they were to meet at that point apparently had been considerably delayed.

In the circumstances here present the operator at St. Marys should have been called out to copy the train order involved. There was no emergency and the copying of train orders in the vicinity of St. Marys was clearly work accruing to the operator position established there.

AWARD

Claim (1), (2) Sustained.

/s/ Francis J. Robertson
Francis J. Robertson,
Chairman

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

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

Dated at Baltimore, Maryland this 24th day of April, 1957

July 2, 1957/th