

SPECIAL BOARD OF ADJUSTMENT NO. 132

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

AWARD IN DOCKET NO. 6

- STATEMENT OF CLAIM: 1. Carrier violated the agreement between the parties hereto when on December 5, 1953, it caused, required and permitted an employee not covered by the Telegraphers' Agreement to report arrival of a westward train, report the arrival and clearance of an eastward train, and copy train order 415 addressed to Extra 963 West, all at Reels Mill, Maryland, which work was and is solely reserved to employees covered by the Telegraphers' Agreement.
2. Carrier be required to compensate the senior idle telegrapher (extra in preference) for one day's pay (8 hours) on date shown above.

FINDINGS: A light engine assisted an eastward train from Point of Rocks to Mt. Airy Junction. On its westward return trip, the engineer called at Reel's Mill and copied a train order (complete at 10.45 A.M.) authorizing the light engine to proceed to Point of Rocks. Reel's Mill is 1.3 miles east of Frederick Junction, a train order station, which is open five days a week, Monday through Friday.

It appears from the Joint Statement of Facts that Frederick Jct. had formerly been open 7 days a week, but the relief position which had covered the station on Saturdays and Sundays was abolished. It further appears that on Saturdays and Sundays train crews are given instructions at Mt. Airy Junction to call at various points from the Junction to Point of Rocks. In arguing this case the Employees stated, in effect, that it would not be likely that during the time the Frederick Junction office was open they would have made claims because of a train crew copying orders such a short distance.

It is obvious that during five days of the week the train orders involved in this case would have been transmitted or copied for this crew at Frederick Junction. It was, therefore, work for which an operator at that point should have been called on his rest day. Accordingly, the claim will be sustained on behalf of the incumbent of the first trick Frederick Junction position for a call on December 5, 1953.

AWARD

Claim disposed of as indicated in Findings.

s/ FRANCIS J. ROBERTSON
Francis J. Robertson
Chairman

s/ B. N. KINKEAD
B. N. Kinkead
Employee Member

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

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