

SPECIAL BOARD OF ADJUSTMENT NO. 132

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 91

STATEMENT OF CLAIM: 1. Carrier violated the agreement between the parties hereto when on March 9, 10, 11, 12, 13, 14, 15, and 17, 1955 it caused, required and permitted train service employees not covered by the Telegraphers' Agreement, to handle (receive, copy and deliver) train orders at Parma, Ohio, which work was and is reserved solely to employees covered by the Telegraphers' Agreement.

2. Carrier be required to permit a joint check of its records to determine the number of violations occurring subsequent to the foregoing dates.

3. Carrier be required to compensate the senior idle telegrapher (extra in preference) for one day's pay (8 hours) on each and every date shown above, and all subsequent dates on which joint check of records shows agreement to have been violated.

FINDINGS: Parma, Ohio, locates 7.8 miles from Clark Avenue, Cleveland. Switching at Parma is performed by two District runs, one called for 7 A.M. at Clark Avenue and the other at 2 P.M. The earlier run receives his orders for trip to Parma from the operator at Clark Avenue. The later run receives a round trip running order from the operator at Clark Avenue. The crew of the later run changes engines with the crew of the earlier run and the latter returns to Clark Avenue on the authority of the round trip order. The later run upon completing its work at Parma secures running orders (by commercial telephone) back to Clark Avenue from the operator stationed at the latter point. There had never been a telegraph office at Parma prior to the date of the claim. (Because of other conditions, by agreement made in October 1955 an Assistant Agent-Block Operator position was later established at Parma. The Employees with commendable fairness, have, however, pointed out that that Agreement should not be considered in any way as affecting the disposition of this claim). There are passing sidings, small storage yard and spur tracks that serve the Chevrolet plant located at Parma.

For reasons set forth in our Findings in Docket No. 1, we find no merit in the instant claim.

AWARD

Claim denied.

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

/s/ B. N. Kinkead,
B. N. Kinkead
Employee Member (Dissenting)

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

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