



ORT FILE: 1934
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CASE NO. 18

SPECIAL BOARD OF ADJUSTMENT NO. 266
THE ORDER OF RAILROAD TELEGRAPHERS

vs.

THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

STATEMENT OF CLAIM:

Claim of the General Committee of The Order of Railroad Telegraphers on The Delaware, Lackawanna and Western Railroad, that:

1. The Carrier violated and continues to violate the agreement between the parties when it requires or permits employes having no rights under the agreement to operate switches and signals at West Secaucus Tower, N. J., by means of remote control from Hoboken, N. J., that
2. The work be restored to employes under the Telegraphers' Agreement, and that
3. The Carrier be required to pay each of the three senior idle employes (extra preferred) under the Telegraphers' Agreement for 8 hours each day commencing February 24, 1955, and thereafter as long as the violation continues.

OPINION OF BOARD:

This claim arises because in February 1955 West Secaucus Interlocking Tower was removed from service and discontinued as a train order office; all interlocked switches, derails, and signals formerly operated from that point thereafter being remotely controlled from the Train Dispatcher's Office at Hoboken and the operation handled by Train Dispatchers. Several claims arising on the property of this Carrier as a result of the abolishment of telegraph service positions due to the introduction of CTC or remote control operation of signals and switches were previously progressed to the National Railroad Adjustment Board. The Board remanded all of these claims to the parties on the ground that they concerned a jurisdictional dispute between the Telegraphers and the Dispatchers as to which organization held proper claim to the work involved in operating signals and switches from a central point. (Awards 4768, 4769, 8458, 8459, 8460). The Organization contends that these prior decisions are not controlling since they dealt with CTC operations, whereas the operation confronting us here is only remote control of signals and switches. The Carrier responds that the system presently in question is essentially the same in actual operation, and that the principle enunciated in the prior awards is equally applicable here.

The evidence is conclusive that the change in the method of operating signals and switches in this case is not significantly different from the changes introduced elsewhere on this property which were the subject of the

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awards cited above. The result was certainly the same, in that telegraph service positions at particular locations on the property were abolished, the functions of these positions thereafter being performed by a Train Dispatcher who operates a control panel from his own office. Thus we find that these prior awards are controlling in the present case.

AWARD:

Claim remanded in accordance with the above Opinion.

/s/ Lloyd H. Bailer
Lloyd H. Bailer, Neutral Member

Dissenting
W. I. Christopher, Employee Member

/s/ F. Diegtel
F. Diegtel, Carrier Member

New York, New York
July 17, 1959