

406-3

AWARD NO. 70

CASE NO. 91

394/2-5
(112-58)

SPECIAL BOARD OF ADJUSTMENT NO. 266

THE ORDER OF RAILROAD TELEGRAPHERS

vs.

THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

EMPLOYEES' STATEMENT OF CLAIM:

1. The Carrier violated Article 1 (Scope and 12(a) of the current Telegraphers' agreement when, commencing at 9:01 A.M. on January 29, 1958 the remote control machine handling of switches and signals at Mount Pocono and Pocono Summit was removed from Tobyhanna Tower, and transferred arbitrarily to employees not covered by said Telegraphers' Agreement in the train Dispatcher's Office at Scranton, removing said work from the scope of said Agreement, to continue in exactly the same manner and operation as from Tobyhanna Tower, which work is by said Agreement reserved to employees covered by the Telegraphers' Agreement.

2. Carrier shall compensate the three (3) senior idle telegraphers (extra men preferred) for eight (8) hours pay on an around the clock basis, seven (7) days a week, for each date beginning Wednesday, January 29, 1958, and continuing thereafter as long as such work is performed by employees not covered by the Telegraphers' Agreement. Said compensation to be paid at the prevailing basic rate of \$2.234 and .08¢ escalator allowance per hour, plus subsequent wage increases, with joint check to be made to identify the man and amounts due.

OPINION OF BOARD:

This case is controlled by our Award 18.

AWARD:

Claim remanded to the parties.

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

DISSENTING
W. I. Christopher, Employee Member

s/ R. A. CARROLL
R. A. Carroll, Carrier Member

New York, N.Y.
December 14, 1959.