

406-3

AWARD NO. 74  
CASE NO. 64  
Sub 2566 TE-10384  
263/ 2-6  
(78-57)

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

vs.

THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

STATEMENT OF CLAIM:

- (1) The Carrier violated the Agreement between the parties when on June 6, 1957, it required or permitted a train service employes, not covered by the Telegraphers' Agreement, to handle (receive, copy and deliver) a train order at West Henryville, Pa., in the absence of an emergency.
- (2) The Carrier shall, because of the violation set forth above, compensate the senior idle telegrapher, extra in preference, a day's pay (\$16.93) in accordance with the provisions of Article 3(c) of the Agreement.

OPINION OF BOARD:

Our Award 72 is controlling in the present case.

AWARD: Claim denied.

/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.  
Nov. 25, 1959