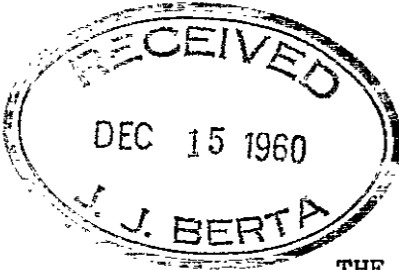


CASE NO. 10

(ORT-2342)



SPECIAL BOARD OF ADJUSTMENT NO. 306

THE ORDER OF RAILROAD TELEGRAPHERS

vs.

THE NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY

STATEMENT

OF CLAIM: "Claim of the General Committee of The Order of Railroad Telegraphers on The New York, New Haven & Hartford Railroad, that:

1. Carrier violated the Agreement between the parties when on July 2 and July 5, 1956, it required and permitted employes not covered by the Agreement to report (OS) trains and to secure permission for trains to occupy main track and report clear of the main track in block limit territory at Forestville, Connecticut.
2. Carrier shall compensate the senior idle employe (extra preferred) on the seniority district for a day's pay at the appropriate rate on each date."

FINDINGS: It appears that on the dates mentioned in the claim the conductor of a local freight, pursuant to his train order, cleared the main line at Forestville to permit passage of train 463. He reported by telephone to the operator controlling the block when clear of the main line and again after passage of the superior train to obtain permission to move back onto the main line.

At Forestville a position of agent-operator was maintained until July 31, 1953 when it was abolished and the station closed. Thereafter it simply became an outlying point at which no operator was located. Under these circumstances the claim cannot be sustained. See our Award No. 7.

AWARD: Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 306

/s/ Dudley E. Whiting

DUDLEY E. WHITING, REFEREE

/s/ Russell J. Woodman

RUSSELL J. WOODMAN, Employe Member

/s/ J. J. Gaherin

J. J. GAHERIN, Carrier Member

DATED: October 7, 1960