



CASE NO. 2
ORT 2193

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 and Hartford Railroad that:

1. Carrier violated and continues to violate the agreement between the parties when it requires and permits ticket clerks, employees not covered by the agreement, at Hartford, Connecticut to perform work belonging to employees under the agreement.
2. Carrier be required to compensate the senior idle employee, extra in preference, on the seniority district in the amount of a day's pay (8 hours) on each day of such violation commencing 60 days prior to January 23, 1956 and continuing on a day-to-day basis thereafter until the violation is corrected by restoring the work to employees under the agreement."

FINDINGS:

Prior to September 28, 1952 telegraphers were assigned to the Chief Train Dispatcher's office in Hartford, Conn. In addition to other duties they handled Pullman reservation messages sent to them by clerks in the Hartford reservation office with New Haven. Effective that date the last of those telegrapher positions was abolished due to elimination of the dispatching office at that point.

This claim was filed on January 23, 1956 and is based on the handling of off line Pullman reservations by clerks by telephone between Hartford and New Haven. Third Division Award No. 8768 held that such work did not belong exclusively to telegraphers and was properly reassigned by this Carrier to clerks at Providence under similar circumstances.

The Organization contends that such award is erroneous, but we think not. The messages involved, while recorded, are not "messages of record" as that term is understood in the industry and the evidence shows that it has been a practice for clerks to handle same at other points on this railroad.

AWARD:

Claim denied.

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/s/ Dudley E. Whiting

DUDLEY E. WHITING, REFEREE

/s/ Russell J. Woodman

RUSSELL J. WOODMAN, Employee Member

/s/ J. J. Gaherin

J. J. GAHERIN, Carrier Member

Oct. 7, 1960