

Case No.  
Award No. 27  
Docket No. TE-8432  
ORT Case 1846

SPECIAL BOARD OF ADJUSTMENT NO. 310

The Order of Railroad Telegraphers  
and  
The Pennsylvania Railroad Company

STATEMENT OF CLAIM: "Claim of the General Committee of the Order of Railroad Telegraphers, dated July 2, 1952, relative to restoring third trick 'Q' Office, Toledo, Ohio, and reimbursing employees who were improperly displaced by closing third trick at this point and transferring of the work formerly performed by Operators on this trick to employees not covered by the Scope Rule of the Agreement." (Eastern Division Case No. T-32 - System Docket No. 195)

FINDINGS:

The main point of Organization's argument here is that the third trick Telegrapher position at "Q" office, abolished by the Carrier April 20, 1952 "was not abolished in fact since the work could not be abolished. xxx It can readily be seen that if this work remained to be performed by the Morse or Telephone, it could not have been handled during the absence of a Telegrapher who would have been required to handle it. It, therefore, amounts to an unattended Relay Office, where the work is being performed by others not covered by the Agreement."

There are in this record five general areas in which the Organization alleges rules violations as a result of its action. A Joint Study was made and signed. It appears in this record, although the Organization Member signed it with certain reservations.

We have reviewed this report, Organization Member's comments thereon and Carrier's answer thereto. We do not think it need be repeated in detail here.

One violation is proven: "prior to closing "Q" office on third trick, the MP26B report was telephoned by the third trick Assistant Enginehouse Foreman each Friday morning to the third trick operator in "Q" office, who in turn sent it in message from a teletypewriter to "GO", Pittsburgh. At present the information contained on Form MP26B is telephoned by Clerk, R. Henderson to the power desk in General Supt. Motive Power Office, Pittsburgh, between 8:00 a.m. and 8:30 a.m. each Friday morning."

From abolition of third trick at "Q" April 20, 1952 to July 1, 1953 when the change was made, Carrier did violate the Agreement. To this extent and for this period a violation is sustained for each Friday this report was sent by the clerk in Outer Yard office. Other than this, there is no proof of any messages being sent by the Clerk at Outer Yard office on third trick.

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AWARD:

Claim sustained only to the extent stated in findings.

Signed this 10th day of April, 1961.

/s/ E. A. Lynch

E. A. Lynch, Chairman

/s/ C. E. Alexander

C. E. Alexander, Carrier Member

/s/ R. J. Woodman

R. J. Woodman, Employee Member

