

Award No. 106  
Case No. None  
(BU 7988-7985-7984/33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties: THE ORDER OF RAILROAD TELEGRAPHERS  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 106

STATEMENT  
OF CLAIM:

Claim No. 1

- (a) Carrier violated the Agreement between the parties when it improperly filled the position of agent at Gary, Indiana, May 16 through July 1, 1960.
- (b) Carrier shall be required to compensate the following named employees under the Agreement in the amount of a day's pay (eight hours) on each date set forth after their respective names:

G. D. Watts	May 16, 23, June 6, 13, 20 and 27, 1960.
G. C. McConkey	May 17, 24, 25, June 1, 7, 8, 14, 15, 21, 22, 28 and 29, 1960.
R. K. Gentis	May 18, 19 and 30, 1960.
J. W. Haiflich	May 20, 27, June 3, 1960.
K. K. Wilson	May 26, 1960.
R. L. Paull	May 31, 1960.
A. J. Bishop	June 2, 9, 16, 23 and 30, 1960.
M. L. Hurni	June 10, 17, 24 and July 1, 1960.

Claim No. 2

- (a) Carrier violated the Agreement between the parties when it improperly filled the position of agent at Nappanee, Indiana on April 19, 20, 21, 22, 1960.
- (b) Carrier shall be required to compensate in the amount of a day's pay (eight hours), D. L. Thompson on April 19, 1960, J. F. Miller on April 20 and 21, 1960, R. L. Paull on April 22, 1960.

Claim No. 3

- (a) Carrier violated the Agreement between the parties when it improperly filled the position of agent at Nappanee, Indiana on May 23, 24, 25, 26 and 27, 1960.
- (b) Carrier shall be required to compensate in the amount of a day's pay (eight hours), J. R. Wilson on May 23, 1960, D. L. Thompson on May 24 and 26, 1960, A. J. Bishop on May 26 and 27, 1960.

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FINDINGS:

Three separate claims are here involved.

We have carefully examined the parties' submissions and argument and conclude as follows:

Claim No. 1 -- The only employee qualified to fill this position was working as agent at Willard.

Claim No. 2 -- None of the claimants was available or qualified to work the assignment in question.

Claim No. 3 -- None of these claimants was available, and only one was qualified.

We will follow our Award in Docket No. 93 and issue a denial award.

A W A R D

Claim denied.

/s/ Edward A. Lynch  
Edward A. Lynch  
Chairman

Dissenting  
R. K. Anthis  
Employee Member

/s/ T. S. Woods  
T. S. Woods  
Carrier Member

Dated at Baltimore, Maryland,  
this 16th day of April, 1963.