

AWARD NO. 110  
CASE NO. None  
(BU 7990-33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 110

STATEMENT OF CLAIM:

1. Carrier violated the Agreement between the parties when on December 28, 1960, it failed to use Operator B. L. Spitler to work his position on a rest day.
2. Carrier shall be required to compensate B. L. Spitler in the amount of eight hours at the time and one-half rate for December 28, 1960.

FINDINGS:

We have reviewed the record in this case and believe the three telephone calls made by the Chief Dispatcher to Claimant Spitler and the additional call or calls by the Operator to Spitler constituted a reasonable effort on Carrier's part to call the Claimant.

It is true, the day was one of Claimant's assigned rest days. Normally the position on this particular day is filled from the extra board. When Carrier found no extra men were available, it used the telephone number given it by the Claimant.

If Claimant desires the Carrier to call him for work under such circumstances it is incumbent upon him to not only supply Carrier with his correct home telephone number, but also to keep Carrier advised of his whereabouts on such days as he may desire a call to work. A denial award is required.

A W A R D

Claim denied.

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

/s/ R. K. Anthis  
R. K. Anthis  
Employee Member

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

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