

Award No. 118
Case No. None
(BU 7945-33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 118

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when on July 8 and 9, 1959, at Connellsville Yard, Pennsylvania, it required or permitted an official of the Company to use the telephone and exchange information directly with the train dispatcher, relating to the consist and movement of trains.
2. Carrier shall be required to compensate H. L. Devore in the amount of a day's pay (8 hours) on each of the dates set forth above.

FINDINGS:

In the light of our prior awards, we have reviewed the Joint Statement of Facts and believe the conversations between Carrier's Assistant Superintendent and the Train Dispatcher on July 8, 1959 to be information that he felt he required in the discharge of his duties as Assistant Superintendent; it consisted of inquiries on facts already or subsequently recorded.

However, the information involved in much of the conversations of July 9, 1959 was consist information. There is no showing here, as there was in Docket No. 116, that such information secured by the Carrier's officer had previously or subsequently been handled through an operator.

A W A R D

Claim for July 8, 1959, denied; claim for July 9, 1959, sustained in accordance with Findings.

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

/s/ R. K. Anthis
R. K. Anthis Dissent as to
Employee Member July 8, 1959

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

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