

AWARD 123
CASE NO. None
(BU-7958-59-60-61/33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 123

STATEMENT OF CLAIM:

- 1.(a) Carrier violated the agreement between the parties when it required or permitted the Car Distributor at Grafton, not covered by said agreement, to call and receive a consist from Cumberland Yard.
(b) Carrier shall be required to compensate Operator P. W. Reed in the amount of a day's pay (8 hours) on December 9, 1959.
- 2.(a) Carrier violated the agreement between the parties when, on July 18, 1960, it required or permitted a yard clerk at Gassaway to transmit a message or report to the Car Distributor at Grafton.
(b) Carrier shall be required to compensate Operators W. H. Davis and H. R. Griffin in the amount of a day's pay (8 hours) each on July 18, 1960.
- 3.(a) Carrier violated the agreement between the parties when, on June 28 and August 1, 1960, it required or permitted the Car Distributor at Grafton to copy a message or report from Buckhannon, West Virginia.
(b) Carrier shall be required to compensate Operator P. S. Barker and H. S. Burner each in the amount of a day's pay (8 hours) on June 28 and on August 1, 1960.
- 4.(a) Carrier violated the agreement between the parties when, on September 19, 1960, it required or permitted the agent at Buckhannon to transmit and the Car Distributor at Grafton to receive a message or report.
(b) Carrier shall be required to compensate Operator R. L. Jones in the amount of a day's pay (8 hours) on September 19, 1960.

FINDINGS: With respect to Claims Nos. 1, 3 and 4 of this Docket the facts disclose the messages involved in such claims were subsequently handled through the Grafton relay office.

The principle here involved has already been decided in our prior awards and a denial award is, therefore, required in these three claims.

With respect to Claim No. 2, while there is no evidence here of duplicate handling the facts fit it squarely with those in Docket No. 116, and for the reasons therein set forth, a denial award is likewise required.

AWARD

Claim denied in accordance with Findings.

DISSENTING

R. K. Anthis /s/
Employee Member

s/ Edward A. Lynch
Edward A. Lynch
Chairman

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

Dated at Baltimore, Maryland, this 31st day of May, 1963.

June 11, 1963