

CASE NO. 26
AWARD NO. 13
O.R.T. FILE 2791

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 13

STATEMENT OF CLAIM:

1. Carrier violated the Agreement between the parties hereto when on April 26 and 27, 1957, it caused, required and permitted the Conductor of Work Extra, Engine 6499, engaged entirely in maintenance service to receive, copy and deliver train orders at Reels Mill, Maryland, April 30, 1957, the conductor of said work extra Eng. 6499 to report his arrival at Reels Mill, requested and received permission to cross from No. 3 to No. 4 track and to report clear of No. 4 track at Reels Mill; May 1, 1957, to report his arrival at Reels Mill, to request and receive permission to use crossover switches from No. 4 to No. 3 track, and to report clear of No. 4 track; and on May 4, 1957, to receive, copy and deliver train order No. 445 at Reels Mill.
2. Carrier be required to compensate the senior idle operator (extra in preference) for pay for one day (8 hours) on each date shown above.

FINDINGS:

Despite the facts existing here, the Organization successfully pressed a claim before Special Board of Adjustment No. 132, Docket No. 6 because a train service employee used the telephone at Reel's Mill, reported arrivals and copied a train order on a day (Saturday, December 5, 1953) when Frederick Junction, being on a 5 day week, was closed.

Special Board of Adjustment No. 132 held it was "obvious that during five days of the week the train orders involved in this case would have been transmitted or copied for this crew at Frederick Junction. It was, therefore, work for which an operator at that point should have been called on his rest day.
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We agree that Special Board of Adjustment No. 132 held Reel's Mill to be within the control of the operator at Frederick Junction.

Further, it is a fact that no operator position has existed at Reel's Mill since September 24, 1955.

Reel's Mill, therefore, is "within (the) station limits" of Frederick Junction so far as application of Revised Article 35 is concerned.

A W A R D

Claim denied.

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

/s/ B. N. Kinkead
B. N. Kinkead, Employee Member

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

Dated at Baltimore, Maryland this 31st day of August, 1961.