

Award 131
Case No. None
BU-7938-33

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 131

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when on May 13, 1959 it required or permitted an employee not covered by said Agreement to handle a train order at Roberts, West Virginia.
2. Carrier shall be required to compensate Operator C. R. Brown in the amount of a day's pay (eight hours) on May 13, 1959.

FINDINGS:

An examination of the maps showing the detail of Carrier's facilities at Brooklyn Junction clearly reveals three points:

1. Roberts is a siding used as the interchange track between the Hartzel and Ohio River Subdivision crews handling the high car trains.
2. It is track on which Short Line crews make their Brooklyn Junction setout or from which they make their pickup.
3. It definitely is an integral part of the Brooklyn Junction complex and is under its control.

It is equally clear that Roberts, the point at which the train order was copied, is within the station limits of Brooklyn Junction.

A W A R D

Claim denied.

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

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

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

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