

Award No. 132
Case No. None
BU-6792-33

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 132

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when it required or permitted employees not covered by said Agreement to use the telephone at Wildwood, Pennsylvania on August 25, 26 and 28, 1959.
2. Carrier shall be required to compensate an idle operator in the amount of a day's pay (eight hours) on each of the dates set forth above.

FINDINGS:

The Organization's claim being predicated mainly (although it also cites the Scope Rule) on Article 35, we must and will hold that none of the protested uses of the telephone was for any of the three prescribed purposes: blocking trains, handling train orders or messages. The conversations were inquiries which this Board has held are permissible.

A W A R D

Claim denied.

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

Dissenting
R. K. Anthis
Employee Member

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

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