

AWARD 135
CASE None
(BU-6829-33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 135

STATEMENT
OF CLAIM:

- "1. Carrier violated the agreement between the parties on February 25, 1960 and on subsequent dates when it required or permitted employees not covered by said agreement to secure Form 'A' and block indications at Elk Run Junction, Pennsylvania.
2. Carrier shall be required to compensate Operator J. E. Wachob in the amount of a day's pay (8 hours) on February 25, 1960 and other claimants in the same amount on subsequent dates on which similar violations are established."

FINDINGS: Carrier's defense that Elk Run Junction is within the Yard limits of Riker is of no help because nowhere in the applicable agreement is "Yard Limits" per se set forth as a permissible area for use of the telephone.

A W A R D

Claim sustained.

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

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

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

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

June 13, 1963