

AWARD 136
CASE None
(BU-7944-33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 136

STATEMENT OF CLAIM:

- "1. Carrier violated the Agreement between the parties when on October 2, 1960 it required or permitted an employee not covered by said Agreement to copy a train order at Short Line Junction.
2. Carrier shall be required to compensate Operator P. R. McKinney in the amount of a day's pay (8 hours) on October 2, 1960."

FINDINGS: We have carefully reviewed the presentations of the parties, particularly the switch diagram prepared by Carrier's Signal Engineer, in the light of Carrier's reliance on our award in Docket No. 5.

In that award we held MO Tower to be within the station limits of MD Tower. MO and J Towers had been closed in July, 1954, and the interlocking at those two towers was remotely controlled from MD Tower.

Carrier now asks that we hold that Short Line Junction is also within the station limits of MD Tower because the switch (No. 100) at the Junction was formerly controlled by J Tower and is now controlled by MD Tower.

While we have already held that "station limits" means the ends of the auxiliary tracks serving a given train order, block or interlocking station, and under the control of the operator at such station, the facts here do not meet our initial requirement of being within the ends of the auxiliary tracks serving the train order, block or interlocking station concerned.

Short Line Junction lies west of what we believe to be the ends of the auxiliary tracks here concerned. It was at that station that the train order was copied, and a sustaining award will be made.

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