

CASE NO. 30
AWARD NO. 14
O.R.T. FILE 2922

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 14

STATEMENT OF CLAIM:

1. Carrier violated the Agreement between the parties hereto when, on December 21, 1957, it caused, permitted and required Engineer Wright on Train No. 32, to receive, copy and deliver Train Order No. 415 at Manila, Pennsylvania.
2. Carrier be required to compensate an idle operator, extra in preference, pay for one day (8 hours) because of said violation.

FINDINGS:

The issue here is similar to those in Dockets Nos. 5 and 7.

A denial award is indicated here because (a) no operator position has existed at Manila since September 24, 1955 (it was abolished May 12, 1953); (b) messages and train orders formerly handled at Manila are handled at Sand Patch, and (c) so far as Article 35 is concerned, Manila is within the station limits of (it is 1.7 miles) and under the control of the operators at Sand Patch.

AWARD

Claim denied.

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

/s/ B. N. Kinkead
B. N. Kinkead
Employee Member
(Dissenting)

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

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