

Award No. 143
Case No. None
BU-6789-33 7976-33
7971-33 7977-33
7972-33 7978-33
7973-33 7979-33
7974-33 7980-33
7975-33 7981-33

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 143

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when it required or permitted others not covered by said Agreement to transmit and/or receive messages (yard reports) transmitted from Flora, Illinois to Washington, Indiana on June 13, 1959, October 26, 1959, May 13, 1960, May 19, 1960, June 2, 1960, June 4, 1960, June 10, 1960, June 11, 1960, June 14, 1960, June 17, 1960, June 24, 1960, June 25, 1960, November 7, 1960, November 10, 1960, January 2, 1961, January 28, 1961, January 29, 1961, February 2, 1961 and February 5, 1961.
2. Carrier shall be required to compensate operators in the amount of a day's pay (8 hours) each as follows:

J. A. Michaels	6/13/59	C. G. Ballard	6/17/60
W. D. Lusch	10/26/59	A. J. Ceglinski	6/24/60
J. C. Smith	5/13/60	D. L. Spalding	6/25/60
W. W. Walford	5/19/60	E. E. Troutman	11/7/60
C. E. Ratcliffe	6/2/60	E. L. Kincaid	11/10/60
H. C. Neff	6/4/60	K. R. Blackwell	1/2/61
K. L. Myers	6/10/60	C. R. Rider	1/28/61
H. J. Donaldson	6/11/60	G. M. Miller	1/29/61
R. L. Myers	8/14/60	J. A. Michaels	2/2/61
		B. E. Small	2/5/61

FINDINGS:

The claim before us is in the transmission by other than Operators of Yard Reports.

We believe yard reports are messages the contents of which would have to be recorded by someone at some stage of the proceeding.

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The facts in the claims before us permit of their separation into two categories: (1) where no operator is involved, and (2) where an operator was involved in their handling.

In all claims where no operator was involved, a sustaining award is required. Our Awards Nos. 40 and 85 must be observed where applicable to any claimant here.

In all claims where an operator participated in the transmission of those reports, a denial award is required.

A W A R D

Claims disposed of in accordance with Findings.

/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.

