

CASE NO. 81
AWARD NO. 23
ORT FILE BU.5779-33

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 23

STATEMENT OF CLAIM:

1. Carrier violated the Agreement between the parties when on April 21, 1958 at Brook, Pa., it required or permitted a train service employe to perform the work of a block operator.
2. Carrier shall compensate an idle operator in the amount of a day's pay (8 hours) on that date.

FINDINGS:

When Carrier closed its station at Brook, Pa., December 18, 1952, the switches at that location were placed under the control of the operator at Confluence and became a part of the auxiliary track system at Confluence, and under the control of the operator at that point.

Consequently, the phone call complained of here was made within the station limits of Confluence, and there is no violation.

A W A R D

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.