2747 CAR. FILE: COM. FILE: A-3537 GR. DIV. BU-9139-33

CASE NO. 255

## SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 255

## OF CLAIM:

- STATEMENT 1. Carrier violated the agreement between the parties when on December 22, 1961, it required or permitted an employee not covered by the agreement to communicate direct with the train dispatcher during a time when the agent-operator at Gassaway, West Virginia, was off duty during his meal hour.
  - 2. Carrier shall compensate Agent-Operator E. R. Brunt for one hour at the overtime rate on December 22, 1961.

## FINDINGS:

The contents of the protested telephone conversation were such as to fall within the definition of "message". It was definitely concerned with the makeup of a train and the movement of the cars which made up the train.

AWARD

Claim sustained.

Edward A. Lynch

Chairman

C. R. Pressly

Employee Member

Carrier Member

Dated at Baltimore, Maryland this 16th day of September, 1964.