

CASE NO. 31
AWARD NO. 31
ORT CASE NO. 2924

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 31

STATEMENT OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on November 14, 15, 16, 18, 19, 20, 21, 22, 25, 26, 27, 29 and 30, and December 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19 and 23, 1957, respectively, it caused, required and permitted employes not covered by the Telegraphers' Agreement to copy, receive and deliver track car lineups at West Newton, Pennsylvania, which work was and is reserved to employes covered by the Telegraphers' Agreement.
2. Carrier be required to compensate an idle operator, extra in preference, pay for one day on each date listed.

FINDINGS:

As we held in our Award in Docket No. 30, we will hold here and issue denial award because no operator position existed at West Newton since at least July 1, 1928.

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.