

AWARD NO. 49
CASE NO. 88
(BU-5786-33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 49

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when on November 9, 10, 11, 12, 20, and 25, 1958, it required or permitted employes not covered by the Agreement to communicate direct with the train dispatcher from Flemington, West Virginia.
2. Carrier shall compensate H. L. Kelley, Agent-Operator, Flemington, in the amount of a minimum call payment on November 9, 10, 12, 20, and 25, and two minimum call payments on November 11, 1958.

FINDINGS:

It is impossible to imagine that the detailed information on the work of the several train crews involved in this claim could have been handled between the several conductors and train dispatchers named without having been made a matter of record. Further, it is the type of conversation on which we sustained a claim in Docket No. 39. We will sustain this claim.

A W A R D

Claim sustained.

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

/s/ B. N. Kinkead
B. N. Kinkead
Employee Member

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

Dated at Baltimore, Maryland,
this 20th day of February, 1962.