

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 50
CASE NO. 13
BU 2576-33

AWARD IN DOCKET NO. 50

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties hereto when on December 27 and 29, 1956, it caused, required and permitted train service employees (flagmen stationed at Flemington, West Virginia, allegedly for flagging purposes, and also members of train crews at Flemington), employees not covered by the Telegraphers' Agreement, to communicate directly with the train dispatcher at Grafton, West Virginia, over the telephone located at Flemington, on both the block telephone circuit and the train dispatcher's telephone circuit; to receive instructions to be delivered to trains by said alleged flagmen; and to transmit to the train dispatcher by said alleged flagmen information concerning trains at Flemington. The Carrier also required or permitted members of train crews to receive instructions directly from the train dispatcher as well as transmit directly to the train dispatcher work and movements of trains.
2. Carrier shall compensate idle telegrapher, extra in preference, for one day's pay (eight hours) on each of the said dates, December 27 and December 29, 1956.

FINDINGS:

Award No. 63 of SBA 132 held that "train crews operating at x x x Astor Jct. historically communicated with the operator at Flemington and later RS insofar as train authority was concerned." The award sustained a claim for each day "train orders were copied at x x x Flemington x x x Astor Jct. x x x."

Admittedly the information secured or transmitted by phone here was "train authority"; it was certainly information as to the movement of trains. Without it, either in written form or transmission by phone, as was done here, these moves could not have been made. We believe a sustaining award is in order.

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.