

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 51  
CASE NO. 7  
O.R.T.NO. 2439

AWARD IN DOCKET NO. 51

STATEMENT  
OF CLAIM:

1. Carrier violated the Agreement when on November 8, 1956, at 5:01 a.m. it required or permitted Conductor Walker on Switch Run Extra 123 South, at North Lima, Ohio, to contact Train Dispatcher A. R. Frazier direct, to give disposition concerning his work.
2. Carrier shall compensate senior idle operator on November 8, 1956, for eight (8) hours' pay for the violation which occurred at North Lima, Ohio, where an open telegraph office was maintained after July 1, 1928.

FINDINGS:

One message is here involved. It was from Conductor Walker, of the Switch Run to Train Dispatcher at Dayton:

"This is the Switch Run at Lima, we want to work through the crossover at Piqua and down the main, or siding at Troy."

The dispatcher answered "okay, Mr. Walker".

In its submission in Docket No. 52 before this Board the Carrier states that telephone calls with the Dispatcher

"involving inquiry of the Dispatcher as to the actual or estimated arrival time of approaching trains do not fall within any of the three restricted categories but those in the course of which instructions were sent to approaching trains or in the course of which the Dispatcher was furnished with calls on outbound trains clearly fell within the category of handling messages."

We believe the substance of this conversation did involve information as to the manner in which this train's work was to be performed, and the claim should, therefore, be sustained.

A W A R D

Claim sustained.

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

/s/ B. N. Kinhead  
B. N. Kinhead  
Employee Member

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

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