

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 57

AWARD NO. 57  
CASE NO. 97  
(BU-5795-33)

STATEMENT  
OF CLAIM:

1. Carrier violated the Agreement between the parties when on February 12, 1959 it required or permitted an employee not covered by the Agreement at North Lima, Ohio to communicate direct with the train dispatcher.
2. Carrier shall compensate Operator J. R. Barkley in the amount of a day's pay (eight hours) on February 12, 1959.

FINDINGS:

Here again, we find a claim predicated on a type of conversation already held to be permissible.

This claim will be denied.

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