

Award No. 66
Case No. 87
(BU-5785-33)

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

AWARD IN DOCKET NO. 66

STATEMENT
OF CLAIM:

1. Carrier violated the Agreement between the parties when on September 27, 1958, it required or permitted an employe not covered by the Agreement to transmit a message direct to the train dispatcher from Haskins, Ohio.
2. Carrier shall compensate an idle operator in the amount of a day's pay (8 hours) on September 27, 1958.

FINDINGS:

The fact that detailed information as to the car with the hot box was eventually furnished the Carrier through the Operators concerned at GC Tower does not alter the fact that the Conductor called the Dispatcher on the phone, and the information that would be required with reference to the elimination of a car from the train because of a hot box would constitute a message. Therefore, there was a violation.

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.