

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties: THE ORDER OF RAILROAD TELEGRAPHERS Award No. 69  
THE BALTIMORE AND OHIO RAILROAD COMPANY Case No. 114-BU 5812-33  
Case No. 119-BU 5817-33  
AWARD IN DOCKET NO. 69

STATEMENT  
OF CLAIM:

1. Carrier violated the Agreement between the parties when on June 8 and August 24, 1959, it required or permitted employes not covered by the Agreement to communicate direct with the train dispatcher from Whitcomb Yard, Indiana.
2. Carrier shall compensate in the amount of a day's pay (8 hours) Operator J. L. Myers on June 8, 1959, and F. M. Harrell on August 24, 1959.

FINDINGS:

The conversations upon which this claim is predicated are between a Yardmaster and Dispatcher at the same location as in Docket No. 34.

For the reasons therein set forth, 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 (Dissenting)  
Employee Member

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

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