

CASE NO. 19  
AWARD NO. 7  
ORT FILE 2675

SPECIAL BOARD OF ADJUSTMENT NO. 355

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

STATEMENT  
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on February 25 and March 1, 5, 11, 12, 13, 16, 17, 18, 19 and 20, 1957, it caused, required and permitted train and engine service employes not covered by the Telegraphers' Agreement to call the operator at West Keyser, West Virginia, from the telephone at the west end of the siding at Piedmont, West Virginia, and secure permission to leave siding and occupy No. 1 main track, and on March 18, 1957, to report clear at Piedmont; to secure permission to move east on siding and pick up cabooses; and later to secure permission to proceed from Piedmont to West Keyser.

2. Carrier be required to compensate an idle operator, extra in preference, pay for one day (8 hours) on each date listed.

FINDINGS:

While we have here the same issue as in our Award in Docket No. 5, we have a fact here which distinguishes this claim from that covered by our Award in Docket No. 5.

That fact is that an operator position did exist at Piedmont since the revision to Article 35 became effective on September 24, 1955.

For this reason, the claim here will be sustained.

AWARD

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 31st day of August, 1961.