Award No. 26 Case No. 26 NRAB Case ----

SPECIAL BOARD OF ADJUSTMENT NO. 421

THE	ORDER	OF	RAIL	ROAD	TELE	GRAPHERS		•
			vs.					1
NELT	VAPV	רידיאני	•		OΛD	E VOLED M	DISTRICT	
					•			;
(except Boston and Albany Division) and								
NEW	YORK	DIS:	TRICT					

STATEMENT OF CLAIM:

- 1. Carrier violated Article 1 of the Telegraphers' Agreement when on May 19, 1960, it required and permitted Road Foreman of Engines Harris, an employe not covered by the Agreement, to perform the work of transmitting communications of record by telephone at Kingston, New York.
- 2. In consequence of this violation Carrier shall compensate G. W. Trowbridge, idle, extra telegrapher, first out, for 8 hours at the rate of \$2.50 per hour, for the violation aforesaid.

OPINION OF BOARD:

This claim is based on the contention that on the date in question a supervisory employee not covered by the subject Agreement transmitted a communication of record by telephone at Kingston, New York. However, no evidence has been produced to show that a record was made of the communication involved and for this reason the claim must be denied.

AWARD:

Claim denied.

/s/ Lloyd H. Bailer Lloyd H. Bailer, Chairman

/s/ L. Faulds L. Faulds, Carrier Member /s/ R. J. Woodman R. J. Woodman, Employe Member

June 25, 1963