

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 33/11  
CASE NO. 33  
ORT FILE: 2940

AWARD IN DOCKET NO. 33/11

STATEMENT  
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on November 1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27 and 29, and December 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 26, 27, 30 and 31, 1957, it caused, required and permitted employees not covered by the Telegraphers' Agreement to handle, receive, copy and deliver Track Car Line Ups (Forms 1089-D) at Sandusky, Ohio, and on November 1, 4, 7, 11, 12, 21, 24, 30 and 31, 1957, it caused, required and permitted employees not covered by the Telegraphers' Agreement to handle, receive, copy and deliver Track Car Line Ups (Forms 1089-D) at Weiant, Ohio, all which said work was and is reserved solely to employees covered by the Telegraphers' Agreement.
2. Carrier be required to compensate an idle operator, extra in preference, pay for one day on each of the above listed dates at each of said locations, and on all subsequent dates on which similar violations occurred at said points.

FINDINGS:

We are here involved with the copying of track car lineups at Sandusky and Weiant, Ohio.

With respect to Sandusky, Carrier claims foremen do not use telephones for this purpose; the track car lineups are delivered to them personally by the operator. A denial award is indicated.

The Committee, in memorandum of conference held January 22, 1958 on this docket, asserted that track car lineups were copied "outside the limits of Weiant, Ohio." Having held such is permissible, a denial award is indicated on the claims at Weiant.

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, Md., this  
20th day of February, 1962.