

SPECIAL BOARD OF ADJUSTMENT NO. 355

AWARD NO. 33/13

CASE NO. 33

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS

ORT FILE: 2940

THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 33/13

STATEMENT  
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on November 7, 8, 26, 27, 29 and December 2, 4, 5 and 6, 1957, and subsequent dates, it caused, required and permitted Track Car Operators, employees not covered by the Telegraphers' Agreement, to handle, copy, receive and deliver track car line ups (Forms 1089-D) at Mile Post 137 plus 22 poles for the operation of track cars, which 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 date listed above, and on all subsequent dates similar violations occur at said location.

FINDINGS:

The pivotal point here is Mile Post 137-plus 22 poles.

A two-trick telegraph office at Huron was closed March 8, 1950.

Mile Post 137-22 is about 374 feet east of the east passing track switch, and 2,770 feet east of the location of the former telegraph office at Huron. It is beyond the station limits of Huron and the call is permissible at that point.

A W A R D

Claim denied.

/s/ Edward A. Lynch  
Edward A. Lynch  
Chairman

/s/ B. N. Kinkead - Dissenting  
B. N. Kinkead  
Employee Member

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

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