

SPECIAL BOARD OF ADJUSTMENT NO. 355

AWARD NO. 33/14

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

CASE NO. 33

ORT FILE: 2940

AWARD IN DOCKET NO. 33/14

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on twenty (20) days in September and twenty-three (23) days in October, 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) about three-fourths of a mile west of Bridgeville, Ohio, which work was and is reserved solely to employees covered by the Telegraphers' Agreement.
2. Carrier be required to compensate idle operators, extra in preference pay for 20 days in September and 23 days in October, 1957, because of said violations.

FINDINGS:

We have examined the record in this claim and can find nothing illogical with a track foreman copying track car lineups at the section toolhouse when it is 3,621 feet west of the west switch and 5,927 feet west of the former telegraph office at Bridgeville. His action did not violate the agreement and the claim will be denied.

In denying claims on the merits, we are aware that only the claims for September were timely appealed.

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.