

SPECIAL BOARD OF ADJUSTMENT NO. 355

AWARD NO. 33/21

CASE NO. 33

ORT FILE 2940

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS

THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD IN DOCKET NO. 33/21

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on September 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27 and 30, 1957, and all subsequent dates when it caused, required and permitted the track foreman at Madison Mills, Ohio, an employee not covered by the Telegraphers' Agreement, to handle, receive, copy and deliver Track Car Line Ups (Forms 1089-D) at Mile Post 42, plus 20 poles, 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 (8 hours) on each date listed above, and all subsequent dates when the track foreman at Madison Mills copied his own track car line ups at Mile Post 42 plus 20 poles.
3. Carrier be required to permit a joint check of its records to determine the number of violations occurring at said point subsequent to the dates listed above.

FINDINGS:

The point here involved is Mile Post 42-20, and it being 2,101 feet east of the end of the elevator track or 2,226 feet east of the former location of the station, it must be considered beyond the station limits of the former telegraph office.

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.