

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 33/5
CASE NO. 33
ORT FILE: 9240

AWARD IN DOCKET NO. 33/5

STATEMENT
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on April 14, 15, 16, 18, 22, 23, 25, 26, and 30, and May 1, 2, 5, 6, 8, 12, 14, 15, 16, 21, 22, 23, 25 and 30, 1958, and subsequent dates, 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 or near Brook, Pennsylvania, 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 on which similar violations occur at or near Brook, Pennsylvania.

FINDINGS:

We are again concerned with Mile Posts 4, 5, 202, 238.

In our Awards in Dockets 33/3 and 33/4 we ruled that Mile Posts 6 and 238 were well beyond the station limits at Brook.

Mile Post 4 is located on the same low grade line, farther from the location of the former Brook tower, and much farther away than Mile Post 6.

Mile Post 202 is not in the general vicinity of Brook. It is about 36 miles distant.

We will here hold that Mile Posts 4 and 202 are well beyond the station limits at Brook.

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.