

Award No. 2571

Docket No. 2443

2-PRR-MA-'57

NATIONAL RAILROAD ADJUSTMENT BOARD

SECOND DIVISION

The Second Division consisted of the regular members and in addition Referee Curtis G. Shake when the award was rendered.

PARTIES TO DISPUTE:

**SYSTEM FEDERATION NO. 152, RAILWAY EMPLOYEES'
DEPARTMENT, AFL (Machinists)**

THE PENNSYLVANIA RAILROAD COMPANY

DISPUTE: CLAIM OF EMPLOYEES:

1. That under the current Agreement Machinist Harold Romar was unjustly dealt with while on vacation by denying him the two and one-half ($2\frac{1}{2}$) times pay for February 22, 1955 when the Carrier assigned Joseph A. Mulhall, machinist, to fill the position.

2. That accordingly the Carrier be ordered to compensate Harold Romar the difference between that which he already received and that which he would have received had he not been on vacation on the above mentioned date.

EMPLOYEES' STATEMENT OF FACTS: Machinist Harold Romar, hereinafter referred to as the claimant, is employed by The Pennsylvania Railroad Company, hereinafter referred to as the carrier, in the Sunnyside Enginehouse, L. I., N. Y., Maintenance of Equipment Department. At the time of the instant claim the claimant was regularly assigned as a relief machinist on the inspection pit, Monday and Tuesday 7:59 A.M. to 3:59 P.M., Wednesday, Thursday and Friday 3:59 P.M. to 11:59 P.M., with rest days Saturday and Sunday.

Joseph Mulhall is regularly assigned as a machinist in the enginehouse on locomotives out of service, which position is not worked on holidays.

To further substantiate the employees' statement of facts in this case, we have a statement from Mr. Mulhall to the effect that he holds a regularly assigned position as air brake machinist on heavy repairs in the enginehouse, copy of which is hereby submitted and identified as Exhibit A.

Claimant holds a relief assignment with a tour of duty 7:59 A.M. to 3:59 P.M., Monday and Tuesday; 3:59 P.M. to 11:59 P.M., Wednesday, Thursday and Friday, with rest days of Saturday and Sunday. February 22, 1955 being a Tuesday, it was one of claimant's regular days to work the 7:59 A.M. to 3:59 P.M. tour of duty.

On the authority of the well-considered findings of this Division in its Awards 2212 and 2339, and numerous other precedents therein cited, the claim must be denied.

AWARD

Claim denied.

**NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of SECOND DIVISION**

**ATTEST: Harry J. Sassaman
Executive Secretary**

Dated at Chicago, Illinois, this 17th day of July, 1957.