

The Second Division consisted of the regular members and in addition Referee Irwin M. Lieberman when award was rendered.

Parties to Dispute: (System Federation No. 156, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Electrical Workers)
(The Long Island Rail Road Company

Dispute: Claim of Employees:

1. That the following employes, Electricians, were deprived of the double time rate of pay worked on Sunday, December 5, 1971.

H. Mardis	8:30 A.M. - 4:30 P.M.
I. Rosman	8:30 A.M. - 4:30 P.M.

2. That the above mentioned employees be compensated at the double time rate of pay instead of the time and a half rate they received for work performed on that day.

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

Claimants in this dispute, electricians, were called in to work by Carrier on Sunday, December 5, 1971, their rest day. They worked for eight hours and were compensated at the time-and-one-half rate. The Organization claims double time for the Claimants for the time worked on December 5, 1971 based on Article VII, Sunday Work, of the Agreement dated January 15, 1971.

The issue in this dispute is identical with that considered in Award 6648 and involves the same parties. However in this case Carrier did not deny or provide evidence to establish that it did not assign more than the number of employes agreed upon under Article VII, on December 5, 1971; we must assume, therefore, that Petitioner's contention is correct and that Carrier violated the Agreement.

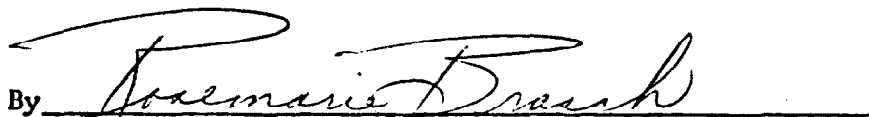
For the reasons set forth in Award 6648 and the series of prior Awards relying on the Award of Public Law Board 790, all involving the same parties, we shall sustain the Claim.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By 
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 19th day of March, 1974.