

The Second Division consisted of the regular members and in addition Referee David Dolnick 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 employees, electricians, were deprived of the double time rate of pay worked on Sunday, March 19, 1972, when they were called out to work at Sub-Station W03, West Hempstead.

P. Catapano - seven hours  
W. N. Smith - eight hours

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 employee or employees involved in this dispute are respectively carrier and employee 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 were given due notice of hearing thereon.

The facts in these claims are comparable to those in Docket 6512, which was adjudicated in Award No. 6662 by denying that claim. Here, Claimants were assigned and did work on Sunday, March 19, 1972, for which they were paid at the time and one-half rate. In a letter to the General Chairman dated May 18, 1972, the Carrier wrote to that the claim was invalid because: "The number of E.T. employees working on Sunday, March 19, 1972 was not greater than the number of E.T. employees working on Sunday, January 17, 1971, which was the qualifying Sunday for this rule." This has not been challenged by the Employees.

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Award No. 6666  
Docket No. 6528  
2-LI-EW-'74

For the reasons stated in Award No. 6662, which are applicable here and are affirmed, the Board finds that the Agreement was not violated and that the claim has no merit.

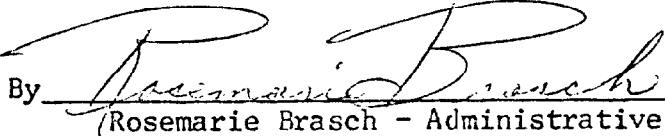
A W A R D

Claims are denied.

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 22nd day of March, 1974.