

NATIONAL RAILROAD ADJUSTMENT BOARD  
Third Division

**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS  
BOSTON & MAINE RAILROAD**

**DISPUTE.**—"Is it permissible under Rule 5 of the Telegrapher's Agreement March 18, 1927, to establish hours of service at Littleton, N. H., as follows:

"Mondays, Tuesdays, Thursdays, Fridays, 7:15 a. m. to 3:15 p. m.?

"Wednesdays, Saturdays, 6:15 a. m. to 2:15 p. m.?

"If not, is Ticket Agent entitled to pay under the Call Rule No. 7 commencing June 30, 1934, to September 29, 1934?"

**FINDINGS.**—The Third Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier and the 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.

The parties to said dispute were given due notice of hearing thereon.

The parties have jointly certified the following facts and the Third Division so finds:

"Commencing June 30, 1934, and each Wednesday and Saturday thereafter until September 29, 1934, Ticket Agent-Operator at Littleton, N. H. was required to work from 6:15 a. m. to 2:15 p. m. for which he was compensated eight (8) hours pro rata for each day."

There exists an agreement (bearing effective date March 18, 1927) between the parties governing wages and working conditions of employes therein designated, from which agreement complainant party cites Rule 5 (a) and Rule 7.

It is found that substantially the same dispute involving the same parties has heretofore been officially decided, and the following Award is predicated upon the precedent thus established.

**AWARD**

Negative answer is entered upon the question made subject of dispute in this case, and claim of the employe involved is sustained.

By Order of Third Division:

NATIONAL RAILROAD ADJUSTMENT BOARD.

Attest:

H. A. JOHNSON,  
*Secretary.*

Dated at Chicago, Illinois, this 8th day of March 1935.

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**INTERPRETATION No. 1 TO AWARD No. 22,  
DOCKET No. TE-36**

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**NAME OF ORGANIZATION:** *The Order of Railroad Telegraphers*

**NAME OF CARRIER:** Boston and Maine Railroad

Upon application of the representative of the carrier involved in the above award, that this Division interpret the same in the light of the dispute between the parties as to its meaning, as provided for in Sec. 3, First (m) of the Railway Labor Act, approved June 21, 1934, the following interpretation is made:

It is not permissible under Rule 5 of the Telegraphers' Agreement of March 18, 1927 to establish hours of service at Littleton, N. H., as set forth in complainant party's statement of claim made to the Third Division of the Adjustment Board; and that the Ticket Agent thus assigned at Littleton, N. H. is, therefore, entitled to pay under the Call Rule No. 7 of said Agreement commencing June 30, 1934 to September 29, 1934.

**NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division**

**ATTEST:** H. A. Johnson  
Secretary

Dated at Chicago, Illinois, this 20th day of March, 1935.