

NATIONAL RAILROAD ADJUSTMENT BOARD
Third Division

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS
THE CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO.

DISPUTE.—“Telegrapher W. G. Peterson claims payment for one day, eight hours, account not being used for service March 20, 1933.”

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

The carrier and the employee 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.

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

An Agreement bearing date of December 1, 1927, is in effect between the parties.

That W. G. Peterson was senior to each of three telegraphers who were employed in “G. C.” Relay Office on March 20, 1933.

On the date in question there was a severe sleet storm which interfered with the telegraph service to such an extent that full force of seven employees could not be utilized, but three men were retained in the office and they were used to recopy manifest reports for mailing, and such other service as might be required. Peterson reported for work, but was disqualified for service on the date in question on account of a physical impairment affecting his ability to operate a typewriter.

That Peterson, in the performance of his duties in the Relay Office, uses a typewriter when necessary in connection therewith, and which, at times, includes copying of manifest reports:

By virtue of Peterson being senior to other telegraphers given employment in “G. C.” Relay Office, Chicago, Illinois, on March 20, 1933, he should have been given employment on said date.

AWARD

Claim sustained.

By Order of Third Division:

NATIONAL RAILROAD ADJUSTMENT BOARD.

Attest:

H. A. JOHNSON,
Secretary.

Dated at Chicago, Illinois, this 22nd day of March 1935.