

NATIONAL RAILROAD ADJUSTMENT BOARD

Third Division

PARTIES TO DISPUTE:

DINING CAR COOKS AND WAITERS INDUSTRIAL ASSOCIATION
MISSOURI-KANSAS-TEXAS LINES

DISPUTE.—“(a) How shall the Cooks and Waiters employed in the Dining Car Department of the Missouri-Kansas-Texas Lines be compensated when required to perform deadhead service between the hours of 7:00 A. M. and 11:59 P. M., and when such deadhead service is not included in the regular written schedule assignments?”

“(b) Shall the employees be retroactively compensated for the time such service is required from the date that the alleged violation of the agreement occurred?”

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

The carrier and the employees involved in this dispute are respectively carrier and employees 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.

Paragraph (d) of Article (4) of Addendum No. 2 of the current agreement between the Missouri-Kansas-Texas Lines and the Dining Car Cooks and Waiters Industrial Association reads:

“Not less or more than the number of hours equal to a day's pay will be allowed an employe for deadheading not provided for in their regular schedule assignment between the hours of 7:00 A. M. and 11:59 P. M. of each day * * *.”

So-called Rest Time specified in Schedule A is not deadhead service, within the meaning of Article 4 (d), but if held for service during the Rest Period, the employee or employees so held should be compensated in accordance with rules governing.

AWARD

(a) Rest Time specified in Schedule A is not deadhead service, within the meaning of Article 4 (d).

(b) No.

By Order of Third Division:

NATIONAL RAILROAD ADJUSTMENT BOARD.

Attest:

H. A. JOHNSON,
Secretary.

Dated at Chicago, Illinois, this 13th day of May 1935.