

NATIONAL RAILROAD ADJUSTMENT BOARD

Third Division

Lloyd K. Garrison, Referee

PARTIES TO DISPUTE:

ORDER OF SLEEPING CAR CONDUCTORS

THE PULLMAN COMPANY

DISPUTE.—

"(a) Conductor D. H. Perry, New York District, claims 2 days' pay for trip deadhead on pass, leaving Chicago at 3:00 P. M., Dec. 18, arriving in New York at 1:00 P. M., Dec. 19. He was paid 1 day.

"(b) He claims 1½ days' pay for trip in Line 5500, leaving New York at 7:50 A. M., Dec. 24, arriving Utica at 1:20 P. M.; leaving Utica at 1:20 P. M., released at New York 7:50 P. M., same day. He was paid 1 day.

"Total claim, 1½ days. (Month of December 1932)."

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

The carrier and the employe 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 case being deadlocked, Lloyd K. Garrison was called in as Referee to sit with the Division as a member thereof.

There is in evidence The Pullman Company Rules governing Working Conditions for Conductors effective December 16, 1923, and Mediation Agreement of March 1st, 1928.

The service performed was as follows:

	Carrier paid	Credited	Employes claim pay
12-17-32 Left New York 3:15 P. M.—Line 5530.....	2 days.....	18 hrs. 50 min.	2 days.
12-18-32 Arrived Chicago 1:05 P. M.—Line 5530.....			
12-18-32 Left Chicago 3:00 P. M.—Deadhead on pass.....			
12-19-32 Arrived New York 1:00 P. M.—Deadhead on pass.....	1 day.....	16 hrs.	8 hrs.
Elapsed time—45 hrs. 45 mins.			
12-24-32 Left New York 7:50 A. M.—Line 1600.....	1 day.....	12 hrs.	1½ days.
Arrived Utica 1:20 P. M.—Line 1600.....			
Left Utica 1:20 P. M.—Line 5509.....			
Arrived New York 7:50 P. M.—Line 5509.....			
Elapsed time—12 hrs.			
	4 days.....		5½ days.

The deadhead trip should be paid for on the basis of the principles laid down in Docket PC-103, Award No. 259 of this Division. On the basis of the facts contained in the record, it was conceded in the argument before the Referee on behalf of the carrier that the claim for an extra half day for the round trip operation between New York and Utica should be allowed under Rule 3.

AWARD

Claim sustained.

By Order of Third Division:

NATIONAL RAILROAD ADJUSTMENT BOARD.

Attest:

H. A. JOHNSON, *Secretary*.

Dated at Chicago, Illinois, this 9th day of May 1936.

(382)