

NATIONAL RAILROAD ADJUSTMENT BOARD

Third Division

Lloyd K. Garrison, Referee

PARTIES TO DISPUTE:

ORDER OF SLEEPING CAR CONDUCTORS

THE PULLMAN COMPANY

DISPUTE.—

"Conductor J. R. Deckard, Philadelphia District, working extra during the first half of August 1932, performed the following services:

"4th Deadhead on pass, Philadelphia to Harrisburg, 3 hrs. 5 min.

"4th-5th, Held at Harrisburg, 13 hours and 10 minutes, from 6:50 p. m., August 4th to 12:30 p. m., August 5th. Given a credit of 5 hours and 10 minutes on the 4th and 8 hours on the 5th.

"5th, Deadhead on car, Harrisburg to Mt. Gretna, 1 hour, 50 min.

"5th-6th, Mt. Gretna to Washington, Pa., 1 day's service.

"6th, Deadhead on car, Washington to Pittsburgh, 2 hours 45 min.

"6th, Deadhead on pass, Pittsburgh to Philadelphia, 1 day.

"8th, Station duty, 5 hours.

"9th-10th, Philadelphia to Harrisburg and return, 1 day.

"14th-15th, Philadelphia-Washington-Buffalo, 1 day.

"For these services he was paid: 3 days for road service; 1 day held for service; 5 hours station duty.

"He was not paid for 11 hours, 5 minutes, deadhead on pass; 4 hours, 35 minutes, deadhead on car; 5 hours, 10 minutes, held for service. He claims pay for these services at the hourly rate."

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.

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 1, 1928.

The services performed from August 4th to 6th, inclusive, which is the only portion in dispute, and the compensation claimed, are as follows:

8-4-32 Left Philadelphia 3:45 p. m., deadhead	}	3 hrs. 5 mins. deadhead on pass.
on pass		
Arrived Harrisburg 6:50 p. m., deadhead	}	5 hrs. 10 mins. held for service.
on pass		
8-4-32 Held Harrisburg to midnight	}	8 hrs. held for service.
8-5-32 Held Harrisburg from midnight to 12:30 p. m.		
8-5-32 Left Harrisburg 12:30 p. m., deadhead	}	1 hr. 50 min. deadhead with equipment.
with equipment		
Arrived Mt. Gretna 2:20 p. m., deadhead		
with equipment		

		Claim is for
8-6-32	Left Mt. Gretna 5:50 p. m., special service	} 8 hrs. (1 day).
	Arrived Washington, Pa., 7:30 a. m., special service	
	Left Washington, Pa., 7:30 a. m., deadhead with equipment	} 2 hrs. 45 min. deadhead with equipment.
	Arrived Pittsburgh 10:15 a. m., deadhead with equipment	
	Left Pittsburgh 12:45 p. m., deadhead on pass	} 8 hrs. deadhead on pass.
	Arrived Philadelphia 9:00 p. m., deadhead on pass	
	Total	36 hrs. 10 minutes.
	Paid by Company	24 hours.
	Net Claim	12 hours 10 minutes.
	Total elapsed time	53 hrs. 15 minutes.

(For this total elapsed time the conductor was paid originally 2 days later, after the claim was presented, he was paid an extra day. This extra day has therefore been deducted from the claim, as shown above.)

On the basis of the principles already established in Docket PC-105, Award Number 259 of this Division, the claim should be sustained subject to the deduction noted above.

AWARD

Claim sustained to the extent of payment for twelve hours ten minutes.

By Order of Third Division:

NATIONAL RAILROAD ADJUSTMENT BOARD.

Attest:

H. A. JOHNSON, *Secretary*.

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