

Award No. 9592
Docket No. TE-8510

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

BOSTON AND MAINE RAILROAD

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Boston & Maine Railroad, that:

1. Carrier violated the terms of the agreement between the parties when it failed and refused to properly compensate Robert B. Otto for Monday, May 31, 1954 (a holiday).

2. Carrier shall be required to compensate Robert B. Otto for 8 hours at the pro rata hourly rate of pay applicable to the Second Shift Leverman position, Tower "A" for Monday, May 31, 1954 (a holiday).

OPINION OF BOARD: Under the particular circumstances of this case and without construing the involved rules as they might apply to any other situation, claim is denied.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

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;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the Agreement was not violated.

AWARD

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of **THIRD DIVISION**

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 19th day of October, 1960.