

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

ATLANTIC COAST LINE RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of The Order of Railroad Telegraphers on the Atlantic Coast Line Railroad, that:

(1) Carrier violated the agreement when it failed and refused to compensate R. N. Mathis, Jr., for 8 hours at the straight time rate of the position to which he was assigned (Junction City, Georgia) for July 4, 1955.

(2) Carrier violated the agreement when it failed and refused to compensate R. L. Mehaffey for 8 hours at the straight time rate of the position to which assigned (Douglas, Georgia) for November 24, 1955.

(3) Carrier violated the agreement when it failed and refused to compensate C. M. Rogers for 8 hours at the straight time rate of the position to which assigned (Bessemer, Alabama) for September 5, 1955.

(4) Carrier violated the agreement when it failed and refused to compensate T. Moss for 8 hours at the straight time rate of the position to which assigned ("RY" Yard, Rocky Mount, N. C.) for November 25, 1954.

(5) Carrier violated the agreement when it failed and refused to compensate W. M. Bracey for 8 hours at the straight time rate of the positions to which assigned on May 31, 1955 (Delco, N. C.); September 6, 1955 (Smith Creek Yard, N. C.); December 25, 1955 (Smith Creek Yard, N. C.).

(6) Carrier shall be required to compensate R. N. Mathis, Jr.; R. L. Mehaffey; C. M. Rogers; T. Moss and W. M. Bracey for 8 hours at the straight time rate for the positions occupied on the foregoing dates in addition to any compensation previously paid for services rendered on such dates.

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 Employes involved in this dispute are respectively Carrier and Employes 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.