



Award No. 17186

Docket No. SG-17609

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

John B. Criswell, Referee

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN

ERIE LACKAWANNA RAILROAD COMPANY

STATEMENT OF CLAIM: Claim of the General Committee of the Brotherhood of Railroad Signalmen on the Erie Lackawanna Railroad Company that:

- (a) Carrier failed to properly pay Signal Department employees on the Kent Seniority District in accordance with the provisions of Rules 15 and 16 (b) for work they performed on the rest day-holidays which occurred December 25, 1965, and January 1, 1966. Such employees were paid time and one-half for working their rest days, only; they should also have been paid time and one-half for working the holidays.
- (b) Carrier should be required now in accordance with the provisions of Rules 15 and 16 (b) to pay Signal Department employees on the Kent Seniority District who were called and worked on December 25, 1965 (Christmas), and January 1, 1966 (New Year's Day), the additional time and one-half to which they are entitled for having worked the holidays. A check of the time records should be made in order to determine the names of the individuals and the time involved.

[Carrier's File: 140-142.]

EMPLOYEES' STATEMENT OF FACTS: This claim involves the question of how employees are to be paid for service they render on a day which is both a holiday and rest day.

Claimant Signal Employees on the Kent Division Seniority District are all assigned to work Monday through Friday with Saturdays and Sundays as rest days.

On Saturdays, December 25, 1965, and January 1, 1966, they were called for work outside their regular assignments. For such service Carrier paid them under the provisions of Rule 16(c) for having worked on their rest days.

Carrier refused, however, to allow payment in accordance with the provisions of Rule 15 for service they performed on the Christmas and New Years' holidays. Claims on their behalf, therefore, were entered for additional amounts of time equal to that which they were paid for December 25 and January 1.

(Exhibits not reproduced)

OPINION OF BOARD: Certain employees of the Signal Department on the Kent Seniority District worked on December 25, 1965, and January 1, 1966. They were paid time and one-half for working their rest days, and they seek an additional payment of time and one-half since the days were also holidays.

This question has been resolved in many awards of this Board: 16785, 16797, 16801, 16803, 16845, 16846, 16855, 16857, 17087. Each sustained the claim of the employees.

Carrier, in the instant case, argues that because the employees were not named such additional payment for the holiday should not be allowed.

Award 15833 (Ives) said:

"It is now well established that identification of claimants by means other than specific names is satisfactory if such claimants are readily identifiable."

We follow this and the agreeing awards in sustaining the claim.

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

That the parties waived oral hearing;

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;

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

That the Agreement was violated.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 28th day of May 1969.