

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 19866
Docket Number TD-19903

John H. Dorsey, Referee

(American Train dispatchers Association

PARTIES TO DISPUTE: (

(Soo Line Railroad Company

STATEMENT OF CLAIM: Claim of the American Train Dispatchers Association that:

(a) The Soo Line Railroad Company, hereinafter referred to as "the Carrier" violated the Agreement in effect between the parties Rule 4(a) thereof in particular, when it refused to compensate Night Chief Dispatcher P. M. McNamara; hereinafter referred to as "the Claimant" for eight (8) hours at rate of time and one-half of applicable rate of Chief Dispatcher's position on July 20, 1970 and July 27, 1970 which was service on assigned rest days.

(b) Because of said violations the Carrier shall now compensate the individual Claimant for amount of the difference between pro rata rate and time and one-half rate of Chief Dispatcher's position for eight (8) hours on July 20, 1970 and eight (8) hours on July 27, 1970 to which he is entitled under the terms of the Agreement.

OPINION OF BOARD: This case involves the same parties, Agreement and issues as in Award No. 19845. For reasons stated in the Opinion in Award No. 19845 we will sustain the claim in the instant case.

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 Carrier violated the Agreement.

A W A R D

Claim sustained.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. W. Paulos
Executive Secretary

Dated at Chicago, Illinois, this 27th day of July 1973.