

NATIONAL RAILROAD **ADJUSTMENT** BOARD

THIRD DIVISION

Award **Number** 20154
Docket Number TD-20244

Dana E. Eischen, 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 the then applicable rate of Chief Dispatcher's position **each** day on December 14, 1970, May **31**, 1971 and June 7, 1971 which was service on an assigned rest day.

(b) Because of said violation, the Carrier shall now compensate the individual Claimant for the amount of the difference between the pro-rata rate and time and one-half rate of Chief Train Dispatcher's position for eight (8) hours each on December 14, 1970, May 31, 1971 and June 7, 1971 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 Awards No. 19845 and 19866. For reasons stated in our 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 **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 Carrier violated the Agreement.

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Claim sustained.

NATIONAL RAILROAD **ADJUSTMENT** BOARD
By Order of Third Division

ATTEST: *A.W. Pauls*
Executive Secretary

Dated at Chicago, Illinois, this 28th day of February 1974.