

The Third Division consisted of the regular members and in addition Referee Rodney E. Dennis when award was rendered.

(Brotherhood of Railroad Signalmen
PARTIES TO DISPUTE: (
(National Railroad Passenger Corporation (AMTRAK)

STATEMENT OF CLAIM: "Claim on behalf of the General Committee of the Brotherhood of Railroad Signalmen on the National Rail Passenger Corporation (AMTRAK), Northern District:

On behalf of C. W. Bell for four hours pay at his pro rata rate of pay account of Carrier violated the current Signalmen's Agreement, as amended, particularly Rules 13-A and 14, when it refused to properly pay him at the overtime rate of pay while he was filling the Trouble Desk Position while the incumbent was on vacation. Carrier file NEC-BRS-SD-247."

FINDINGS:

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

The carrier or carriers and the employee or employees involved in this dispute are respectively carrier and employees within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

Claimant was working on a vacation relief position, 8:00 A.M. to 4:00 P.M., Monday through Friday.

On November 11, 1985, Claimant worked the trouble desk (which was a part of his bid assignment). He worked in the signal gang from Tuesday, November 12 thru Thursday, November 14. He was required to cover two days of vacation on the trouble desk on Friday and Saturday, November 15 and 16. Carrier paid Claimant straight time for the time spent covering the trouble desk on Saturday. The Organization requests time and one-half for that time, since Claimant had to work on his rest day, November 16.

Form 1
Page 2

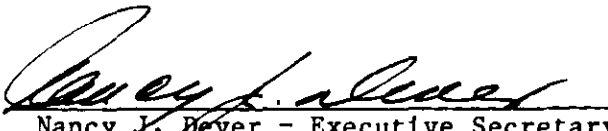
Award No. 28388
Docket No. SG-27791
90-3-87-3-291

This Board has reviewed the record and notes that prior decisions of this Board, such as Third Division Award 14324, have denied the same or similar Claims. We see no basis on which to modify that position in this instance.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Attest: 
Nancy J. Bever - Executive Secretary

Dated at Chicago, Illinois, this 25th day of May 1990.