

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISIONAward No. 30932
Docket No. CL-31497
95-3-93-3-215

The Third Division consisted of the regular members and in addition Referee Elizabeth C. Wesman when award was rendered.

PARTIES TO DISPUTE: (Transportation • Communications
(International Union
(
(CSX Transportation, Inc. (former
(Seaboard Coast Line Railroad)

STATEMENT OF CLAIM: "Claim of the System Committee of
the Organization (GL-10944) that:

1. The Carrier violated the Agreement when it failed or refused to properly compensate Guaranteed Extra Board Employee W. L. Willis for the work week ending January 5, 1992.
2. As a result of the aforementioned violation, the Carrier shall now be required to compensate W. L. Willis (171803) one (1) day's pay."

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 employee 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.

On the date of the dispute, Claimant was assigned to the Guaranteed Extra Board at Atlanta, Georgia. During the week of December 30, 1991, through January 5, 1992 (Monday through Sunday) Claimant was paid for the holiday on December 31 and he worked eight hours on January 1, 4, and 5. On January 1, Claimant was paid for the holiday (eight hours) and time and one-half for the eight hours he worked.

On January 3, 1992, Claimant filed a claim for one day at the Guaranteed Extra Board rate, on the premise that he had not received his guarantee of 5 days work under Section II(f) of the Guaranteed Extra Board Agreement. The claim was denied and subsequently processed in the usual manner up to and including the highest Carrier officer authorized to handle such matters.

A review of the record indicates that Claimant was, in fact, paid for forty hours' work. On January 1 he received eight hours' holiday pay plus eight hours' time and one-half for the time he worked. Thus, his total pay for the week in question was for forty hours (eight of which were at time and one-half). Accordingly, the Board find no basis for sustaining this claim.

AWARD

Claim denied.

ORDER

This Board, after consideration of the dispute identified above, hereby orders that an award favorable to the Claimant(s) not be made.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

Dated at Chicago, Illinois, this 8th day of June 1995.