

**NATIONAL RAILROAD ADJUSTMENT BOARD**

**Third Division**

**Paul Samuell, Referee**

**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS, FREIGHT  
HANDLERS, EXPRESS AND STATION EMPLOYEES**

**SOUTHERN RAILWAY COMPANY**

**DISPUTE.**—"Claim of S. E. Ridge, Transfer Foreman, Greensboro, N. C., Freight Agency, for pay for 30 minutes at overtime rate each working day, July 16 to September 15, 1934, inclusive, on account of Chief Clerk Powell being assigned to look after the transfer 8:00 A. M. to 8:30 A. M."

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

The carrier and the employee 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.

The parties to said dispute were given due notice of hearing thereon.

This dispute being deadlocked, Paul Samuell was called in as Referee to sit with the Division.

The parties have jointly certified the following facts, and the Third Division so finds:

"Prior to July 16, 1934, Mr. Ridge's assigned hours were 8:00 A. M. to 5:30 P. M., with one hour for lunch, daily except Sundays. On this assignment he worked and was paid for 30 minutes' overtime each working day. Effective July 16th, his starting time was changed to 8:30 A. M., and the work of looking after the transfer between 8:00 A. M. and 8:30 A. M. was assigned to Chief Clerk Powell, a higher-rated employee. Effective September 17th, Chief Clerk Powell was relieved of the work of looking after the transfer 8:00 A. M. to 8:30 A. M., and Mr. Ridge's starting time was changed back to 8:00 A. M."

An agreement, bearing effective date of September 1st, 1926, exists between the parties governing wages and working conditions of employees therein designated, Rule 14 of which reads:

"In making overtime before or after assigned hours employees regularly assigned to class of work for which overtime is necessary shall be given preference. In making extra time on Sundays or Holidays the above principle shall apply."

On the days in question, viz, July 16th to September 15th, 1934, inclusive, except Sundays, between the hours of 8:00 A. M. and 8:30 A. M., Chief Clerk Powell performed the class of work attached to the position of Transfer Foreman held by S. E. Ridge, and to which class of work Mr. Ridge had a preferential right under the quoted rule.

**AWARD**

Claim sustained.

By Order of Third Division:

NATIONAL RAILROAD ADJUSTMENT BOARD.

Attest:

H. A. JOHNSON,  
*Secretary.*

Dated at Chicago, Illinois, this 16th day of July 1935.