

Award No. 6326

Docket No. TE-6140

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

GEORGIA RAILROAD

**STATEMENT OF CLAIM:** "Claim of the General Committee of The Order of Railroad Telegraphers on the Georgia Railroad that:

- A. Telegrapher J. L. Wilson, Jr., be compensated retroactively to September 1, 1949, dates for which payments are due to be established by joint check of the Carrier's records, as follows:
- (1) The difference between straight time rate, which was paid, and time and one-half rate, to which he was entitled, for service performed on assigned rest days of his position—except for the period of October, 1950, through September, 1951, for which payment as claimed has been allowed by the Carrier.
  - (2) One day's pay at straight time rate for each day he was not permitted to perform service on a regular assigned work day of his position—except for the period of October, 1950, through September, 1951, for which payment as claimed has been allowed by the Carrier.
  - (3) One day's pay at rate of time and one-half for each day he was deprived of working the rest days of his assignment, in favor of a regular assigned employee from another position, when neither the regular occupant nor an extra employee was available.
- B. Telegrapher H. T. Horne be compensated retroactively to September 1, 1949, dates for which payments are due to be established by joint check of the Carrier's records, as follows:
- (1) The difference between straight time rate, which was paid, and time and one-half rate, to which he was entitled, for service performed on assigned rest days of his position—except for the period of October, 1950, through September, 1951, for which payment as claimed has been allowed by the Carrier.
  - (2) One day's pay at straight time rate for each day he was not permitted to perform service on a regular assigned work day of his position—except for the period of October, 1950, through September, 1951, for which payment as claimed has been allowed by the Carrier.
- C. Telegrapher B. W. Moats be compensated retroactively to September 1, 1949, dates for which payments are due to be established by

joint check of the Carrier's records, in the amount of one day's pay at rate of time and one-half for each day he was deprived of working the rest days of his assignment, in favor of a regular assigned employe from another position, when neither the regular relief employe nor an extra employe was available.

- D. Telegrapher H. B. Morgan be compensated retroactively to September 1, 1949, dates for which payments are due to be established by joint check of the Carrier's records, in the amount of one day's pay at rate of time and one-half for each day he was deprived of working the rest days of his assignment, in favor of a regular assigned employe from another position, when neither the regular relief employe nor an extra employe was available.

**FINDINGS:** The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board jointly by the parties; and

That hearing was waived and under date of September 1, 1953, the parties jointly addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

#### AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon  
Secretary

Dated at Chicago, Illinois, this 10th day of September, 1953.