

NATIONAL RAILROAD ADJUSTMENT BOARD

THIRD DIVISION

Award Number 20649  
Docket Number SG-20549

Francis X. Quinn, Referee

PARTIES TO DISPUTE: (Brotherhood of Railroad Signalmen  
(  
(Chicago, Milwaukee, St. Paul and Pacific  
( Railroad Company

STATEMENT OF CLAIM: Claim of the System Committee of the Brotherhood of Railroad Signalmen on the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

On behalf of Signal Maintainers A. F. Booth and H. F. Miller for the difference between time and one-half and double time pay on August 5, 1972 as follows:

Booth: 3:00 A.M. to 12:00 Noon, and

Miller: 8:00 A.M. to 12:00 Noon. Carrier's File: F-10827

OPINION OF BOARD: At the heart of this dispute is Article V of the Mediation Agreement of November 16, 1971. The words used in Article V are to be taken in the ordinary and popular sense, unless from the context it appears to have been the intention of the parties that they should be understood in a different sense.

Article V provides for double time after 16 hours' continuous service in any 24 hour period computed from the starting time of the employee's regular shift. This simply means that in computing double time for work in excess of 16 continuous hours of service, the starting time of an employee's regular shift constitutes the starting point of the 24 hour period.

The record indicates that Claimant A. F. Booth was deserving of double time pay on August 5, 1972 from 3 A.M. to 12 Noon. His claim will be sustained. Accordingly Claimant H. F. Miller did not fulfill the requirements of a 24 hour period. Therefore his claim is denied.

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 Employees involved in this dispute are respectively Carrier and Employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

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That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the Agreement was violated to the extent shown in Opinion.

A W A R D

Claim sustained to the extent indicated in the Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST:

A.W. Paulson  
Executive Secretary

Dated at Chicago, Illinois, this 21st day of March 1975.