

SPECIAL BOARD OF ADJUSTMENT (P.L. BOARD) NO. 39

Award No. 3
Case No. 178

PARTIES TO THE DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Spokane, Portland and Seattle Railway Company (System Lines)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood
that:

(1) The Carrier violated the Agreement when it failed and refused to properly compensate Water Service Foreman Ray Moreland for work performed on Friday, December 25, 1964, an assigned vacation day which was also the Christmas holiday.

(2) Water Service Foreman Ray Moreland now be allowed an additional eight (8) hours' pay at his time and one-half rate because of the violation referred to in Part (1) of this claim."

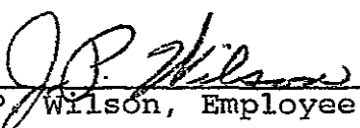
FINDINGS:

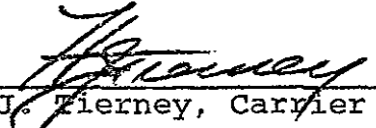
The Board, upon the whole record and all the evidence finds that:

In view of the facts and circumstances in this particular case and without construing the rules of agreement relied upon by the parties as they might apply to any other case involving the same or similar set of circumstances, the claim will be allowed.

AWARD: As per Findings.

8th Dec 1964 \$35.04


J. P. Wilson, Employee Member


H. J. Tierney, Carrier Member

Portland, Oregon
August 10, 1967