

SPECIAL BOARD OF ADJUSTMENT NO. 186

AWARD NO. 15

Organization's File

R-994

Carrier's File

TE-30-56

STATEMENT OF CLAIM:

"Claim of the General Committee of The Order of Railroad Telegraphers on The Denver & Rio Grande Western Railroad that:

"1. Carrier violated the vacation agreement between the parties when it cancelled the vacation assigned to claimant, L. F. Wallace October 11 through October 29, 1956, and after working him two weeks of his assigned vacation period, which was cancelled, carrier unilaterally required the claimant to absent himself from duty October 25 to October 29, 1956, inclusive compensating him at straight time rate; and,

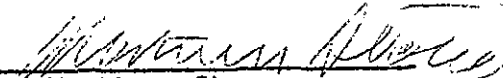
"2. The claimant shall now be compensated at the time and one-half rate for the period October 25 to 29, inclusive, in addition to the straight time rate."

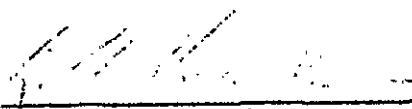
FINDINGS: The claim here in behalf of Telegrapher Wallace involved the same issues considered in Award 14. The only difference as to this claimant is that he was held to work for the first two weeks of his three-week vacation period after being notified that it would be necessary for him to work his vacation, then was released for the one remaining week only. He was compensated pursuant to the rule for the two weeks that he was required to work at time and one-half rate in addition to vacation time paid during that period, and claim is here made for further pay at time and one-half rate for the week's time he was given vacation.

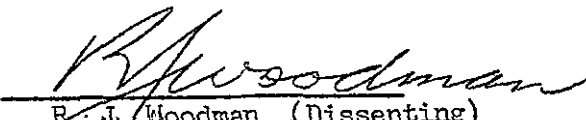
The award here must be controlled by Award No. 14.

Award No. 15 (Continued)

AWARD: Claim denied.

  
Mortimer Stone  
Chairman, Neutral Member

  
L. G. Heinlein  
Carrier Member

  
R. J. Woodman (Dissenting)  
Organization Member

Dated at Denver, Colorado, August 30, 1957.