

SPECIAL BOARD OF ADJUSTMENT NO. 266

THE ORDER OF RAILROAD TELEGRAPHERS

vs.

THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

STATEMENT OF CLAIM:

"Our current Agreement, schedule, page 49, lists at New Milford an Agent-Operator position, and Operator positions on 2nd and 3rd tricks, the latter were abolished on May 10, 1957, and the remaining position reduced to a six (6) day position with rest days Sunday and Monday, station closed on Sunday - assigned hours 7-AM to 4-PM, lunch period 11-AM to 12 Noon, with Monday being included in Cycle Relief No. 15, thus being advertised and assigned to work on Holidays at the prevailing rate of 20 hours at basic rate of \$2.21 and current rate of \$2.29 an hour.

On December 23, 1957 instructions were issued that the New Milford Office would be closed and remaining position would not work - similar orders were issued on December 30, 1957 to cover Jan. 1, 1958. The rate on six (6) day positions, contracted to work on Holidays is 20 hours at the applicable straight time rate.

Because of this handling, which is in violation of our current Agreement, this is claim in favor of A. L. Folk, incumbent of Agent-Operator position at New Milford, Pa., for 20 hours pay at \$2.29 an hour for \$45.80 each date, less the amount paid on Dec. 25, 1957 and Jan. 1, 1958, then on a continue basis on each subsequent holiday when similar violations take place, the applicable Articles are 8, 11 and 24 of said Agreement."

OPINION OF BOARD:

Since the Claimant was filling a six day position there is no basis for the subject claim. Award 12.

AWARD: Claim denied.

/s/ Lloyd H. Bailer
Lloyd H. Bailer, Neutral Member

/s/ W. I. Christopher
W. I. Christopher, Employee Member

/s/ R. A. Carroll
R. A. Carroll, Carrier Member