

AWARD NO. 89
CASE NO. 37

SPECIAL BOARD OF ADJUSTMENT NO. 266

TRANSPORTATION-COMMUNICATION EMPLOYEES UNION
vs.
ERIE LACKAWANNA RAILROAD COMPANY

STATEMENT OF CLAIM:

Claim of the General Committee of the Order of Railroad Telegraphers on the Delaware, Lackawanna and Western Railroad Co., that:

- (1) H. A. Strait, who was regularly assigned to Relief Position No. 7 effective March 14, 1956, but who was not permitted to assume duties thereon, but was, instead, required by the Carrier to perform emergency relief service at other location in violation of Article 16 paragraphs c-1 and c-2 of the Agreement between the parties.
- (2) The Carrier shall, because of said violation, for a period of sixty (60) days retroactive from June 2, 1956, compensate Claimant Strait for eight (8) hours at the rate of his regularly assigned position, except that for such work as he performed on Sunday and Monday, the assigned rest days of his position, he (Strait) shall be paid the time and one half rate; and, in addition hereto, Claimant Strait shall be paid under the provisions of Article 15 for any work performed by him on positions other than his regular assigned position, with a joint check of Carrier's records to determine the amount due Strait.

OPINION OF BOARD:

The facts in this case show that claimant was paid for the period that he posted on Relief Position No. 7, and on a few occasions during the 60-day period involved in the claim he performed emergency service on positions on which he was qualified. There is no showing that he lost any time.

AWARD:

Claim denied.

Lloyd H. Bailer
Lloyd H. Bailer, Neutral Member

R. E. Woodman
R. E. Woodman, Employee Member

R. A. Carroll
R. A. Carroll, Carrier Member

New York, New York

Date: October 9, 1966